9 Sept. 1973

HR:

Re Kalmbach's "firing":

This appears to represent an escalation in terminology by the NY Times, if not others among the media.

On April 30, GL announced the resignation of Ehrlichman, Haldeman, Dean and Kleindienst, but said nothing about Kalmbach.

On May 1, Seymour Hersch wrote a story that appeared in the NY Times of May 2 on government investigators saying they expected some six high-ranking WH officials liable to indictment. In the body of the story Hersch says funds to support the WG defendants were collected partly by Kalmbach, and then adds this sentence: "The White House said today that the lawyer is no longer handling legal matters for Mr. Nixon."

By June 9, another story by Hersch uses this language: "On May 1, the White House announced that Mr. Kalmbach had been discharged as Mr. Nixon's personal lawyer."

It may be doubted if there was any such "announcement," which could hardly have failed to have been picked up and used by the rest of the media. The inference is that Hersch may have asked a question and got an individual answer, but there's no evidence that the term "fired" was used. Kalmbach had begun talking to the feds the week of Apr. 8-14.

As you point out, Kalmbach's firm has continued to represent Nixon on San Clemente if on nothing else.

jdw