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Tapes - Ervin committee suit dismissed by Judge Gesell, on grounds that committee's hearings might prejudice rights of potential defendants, including Nixon. "From the outset, the committee made it plain that, if it obtained the tapes, it would play them in public."

NYT 9 Feb 74, Rosenbaum

Ervin committee, acting at Jaworski's request, votes to postpone issuing final report until after indictments have been handed up and defendants have pleaded in Watergate cases.

NYT 9 Feb 74, Rosenbaum

(vice presidential papers)

Nixon (taxes) - "[Sen. Russell B.] Long Doubts Nixon Tax Fraud on Deduction for Gift of Papers." Long, who heads House-Senate Committee on Internal Revenue Taxation, says the indications are that Nixon simply did what his lawyers advised and is not guilty of fraud if it is proved his agents backdated the deed, "unless he knew it."

NYT 9 Feb 74 [UPI]

~~Kiesler appears before one of the Watergate grand juries at Jaworski's request.~~

~~NYT 9 Feb 74 Ripley~~

Nixon, physical exam - Nixon, travelling by car to Bethesda for annual physical, returns to WH because of heavy snow-storm. Examination will be rescheduled.

NYT 9 Feb 74, McFadden

IRS/NYT, WX - NYT learns that IRS has secretly subpoenaed and received from Washington telephone company records of every toll call made from NYT WX bureau from June 1973 to January 1974. See entry 3 Jan.

NYT 9 Feb 74, Perlmutter

Tapes (Mitchell trial) - Federal prosecutors say they have obtained tapes of Nixon-Dean conversations (13, 20 Mar 73) for private monitoring by Judge Gagliardi, who will decide if they contain material to which defense is entitled. Tape of 20 Mar and one obtained earlier, that of 28 Feb, have already been turned over to the judge; that of 13 Mar will be turned

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over later to him. NYT: "With the tape issue nearing resolution, the defense lawyers apparently intend to continue maneuvers designed to prevent Mr. Dean from testifying."

NYT 9 Feb 74, Lubasch

Mitchell-Stans trial - see entry above, Tapes (Mitchell trial).

Moorer/Radford - See entry 10 Feb. Story is based partly on intv with Radford today.