

Deposition By Nixon Is Sought

Attorneys moved yesterday to take sworn testimony from Richard M. Nixon in connection with the wiretapping of 13 former government officials and four newsmen.

A notice was filed in U.S. District Court here stating that attorneys for Morton H. Halperin, a former White House aide who brought the lawsuit, would take Nixon's "deposition upon oral examination . . . on Friday, June 27, 1975, or such other date as may be agreed upon between parties, at a place subsequently to be determined in or near San Clemente, Calif., before an officer qualified to administer oaths."

William G. Hundley, Nixon's attorney, said in an interview he would oppose the notice on the ground that the former President is immune from prosecution in civil proceedings. The government has already submitted a brief in which it argues that Nixon should be dismissed as a defendant in the case.

It was understood that the notice of deposition was a device to test whether the courts would compel Nixon to testify even if he is dismissed as a defendant.

Halperin's suit names Secretary of State Henry A. Kissinger and five former top officials of the Nixon administration as defendants as well as Nixon himself. Also named are the Chesapeake & Potomac Telephone Co. and four "John Doe" defendants employed by the FBI and other government agencies.

Under the terms of the wiretap provisions of the Omnibus Crime Control and Safe Streets Act of 1968, each defendant could be assessed damages of up to \$75,000 for the taps, according to Halperin's suit.