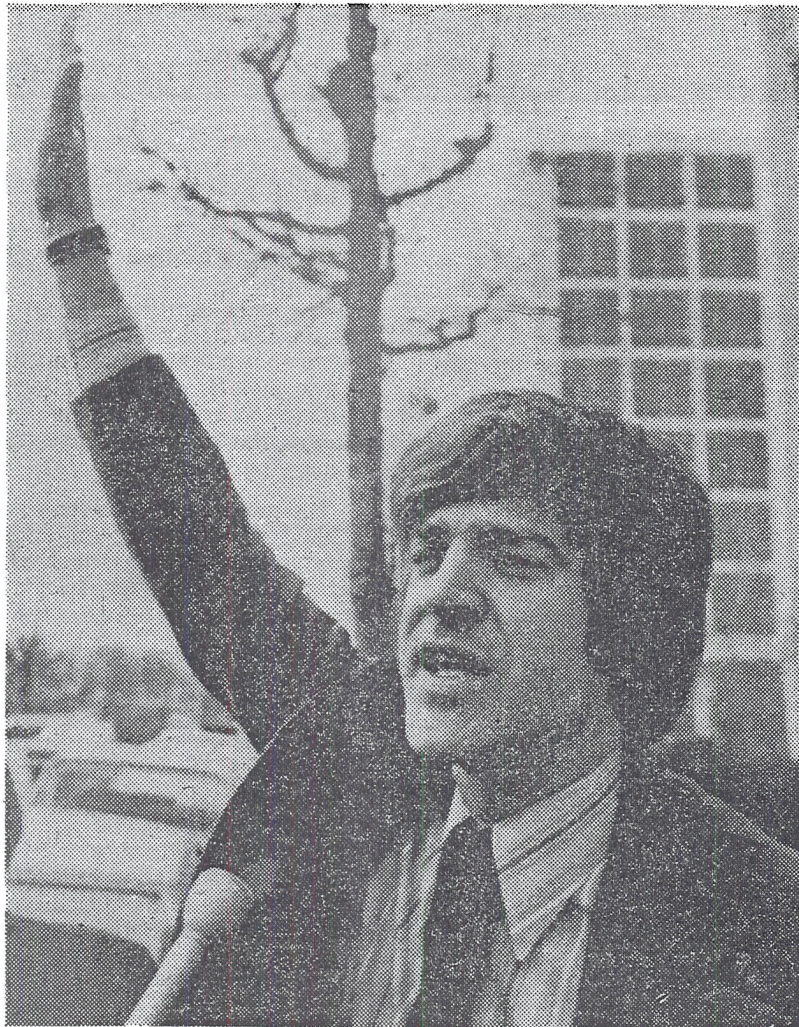


SFChronicle MAR 9 1976
Hughes' Stand-In



AP Wirephoto

Attorney Joseph Hasset hailed a cab after showing up in Howard Hughes' place before lawyers for the SEC

SFChronicle MAR 9 1976
Billionaire
CIA
**Fails to Show
For Inquiry**

Washington

Reclusive billionaire Howard Hughes failed to appear yesterday to give the Securities and Exchange Commission a court-ordered deposition. The SEC has filed a \$45 million lawsuit saying Hughes and his Summa Corp. violated securities laws.

Attorney Joseph M. Hasset appeared on Hughes' behalf. Hasset refused comment to newsmen, but an SEC spokesman said Hasset had told SEC lawyers before hand that Hughes would not appear.

An agency spokesman said SEC attorneys probably will wait until early next week before deciding what action, if any, to take in response to Hughes' refusal to appear.

U.S. District Judge Alfonso Zirpoli in San Francisco directed last week that Hughes appear before SEC attorneys for questioning in connection with the agency's investigation of stock transactions involving Summa Corp. and Air West.

An SEC spokesman quoted Hasset as telling agency attorneys that Hughes would not appear because he had not been personally involved in the transactions and because Hughes contends he is not a managing director of either company. The SEC contends otherwise.

The SEC alleges that Hughes, some of his associates and the Summa Corp. put on a publicity campaign to influence directors and shareholders of Air West to accept Hughes' offer for the airline.

It contends Hughes failed to disclose information and led shareholders to believe they would get \$22 per share when they actually got slightly more than \$8.75.

In his ruling last week, Judge Zirpoli said blocking the second attempt — Hughes also failed to appear for questioning on January 12 — to get Hughes to submit to questioning "would reward him for his own bad conduct."

However, Zirpoli indicated at the time he had doubts that Hughes, who has not been seen in public for more than 20 years, would show up.

Associated Press