

California Bar Asks Data on Ehrlichman and 4 Others

NYTimes

By JAMES M. NAUGHTON
Special to The New York Times

WASHINGTON, July 5—The state bar association of California, in a move that could lead to disbarment proceedings, has asked the Senate Watergate committee for information, "at an appropriate time," that could link John D. Ehrlichman or four other lawyers to the Watergate scandal.

Helen J. Small, the disciplinary counsel for the State Bar of California, made the request in a letter June 22 to the committee chairman, Senator Sam J. Ervin Jr., Democrat of North Carolina. A copy of the letter was obtained today by The New York Times from Congressional sources.

The letter did not accuse any of the lawyers of violations of law or the legal profession's ethics. But it asked for any information about Mr. Ehrlichman, the former assistant to the President for domestic matters, and the four others whose names the letter said had "surfaced so far" from media publicity.

The four other members of the California bar named in the letter were Herbert W. Kalmbach, Mr. Nixon's former personal attorney; Gordon C. Strachan, a former White House assistant to H. R. Haldeman, the former chief of staff; Robert C. Mardian, a former political consultant to the Committee for the Re-election of the President, and Donald H. Segretti, who allegedly directed efforts to sabotage the candidacies of Democratic contenders in the 1972 Presidential election.

'Public Clamor' Cited

The letter said that there had been "public clamor" in California for the bar association to "take disciplinary action against its involved members." Accordingly, the letter asked for "investigative material developed by your committee concerning our involved members, so that we may conduct disciplinary proceedings where warranted."

There were the following Watergate developments today:

Archibald Cox, the Government's special prosecutor, said in a statement that it would be "grossly premature" to comment on the possibility that four former associates of the President might be indicted by a Federal grand jury. Mr. Cox's statement did not, however, either confirm or refute a broadcast report yesterday that the original Watergate prosecutors had recommended the indictment of H. R. Haldeman,

the former White House chief of staff; John D. Ehrlichman, the former assistant to the President for domestic matters; John N. Mitchell, the former Attorney General, and John W. Dean 3d, the former White House legal counsel.

Judge John J. Sirica of the United States District Court here authorized the Senate investigating committee to grant limited immunity from prosecution to David R. Young Jr., a former White House aide who was a co-director of the "plumbers unit" set up in 1971 to investigate leaks of security information to news media. The "plumbers unit" was allegedly responsible for the burglary in September, 1971, of the office of a California psychiatrist who had been treating Dr. Daniel Ellsberg, the source of the Pentagon papers.

In another district court proceeding, Judge Joseph Waddy took under advisement an offer by lawyers for President Nixon's 1972 re-election committee to make a full disclosure of campaign finances if Common Cause, the citizens lobby, would drop its lawsuit against the campaign committee. But Judge Waddy rejected a plea by Common Cause attorneys that he hold Maurice H. Stans, the former Secretary of Commerce and head of the finance committee, in contempt for failing to produce information. At a three-hour hearing, Judge Waddy gave Common Cause 10 days to submit a list of financial documents it wants from the Finance Committee to re-elect the President and gave the committee an additional 10 days to file a response.

An official close to the Senate panel said that the committee staff would interview Mr. Mitchell privately on Sunday or Monday. The official also said that Mr. Mitchell's appearance at the hearings when they resume on Tuesday would be followed by the testimony of Mr. Kalmbach and of Anthony J. Ulasewicz, a former New York City policeman who was said to have acted as Mr. Kalmbach's agent in arranging payment of "silent money" to the original Watergate case defendants.

Earlier Reports

There had been reports circulating within the legal profession in Washington and elsewhere that various bar associations were prepared to follow the formal Watergate investigations with disciplinary action against any of their members implicated in the scandal.

The inquiry from the California association, marked

"personal and confidential," was the first indication, however, that any bar association was already taking steps to prepare for the possibility of disciplinary proceedings.

Karl Zellmann, the assistant secretary of the California association, said in San Francisco this afternoon that he could not comment directly on the request. He emphasized in a telephone interview that disciplinary proceedings were highly confidential.

Mr. Zellmann outlined the general procedures involved, however, and said in response to a question that an association member could be punished for ethical or legal violations whether these occurred in California or not.

He said that if a charge against a lawyer was not dismissed during a series of investigative hearings, the California Supreme Court ultimately would decide whether to suspend or disbar the lawyer.

The statement issued today by Mr. Cox, the Government prosecutor, was in reply to a report by C.B.S. News last night that the indictments had been recommended in a final "status report" from Earl J. Silbert, Seymour Glanzer and Donald Campbell, who withdrew last week from the Watergate case after having been involved in the investigation for a year.

According to the C.B.S. News account, the prosecutors had indicated that the investigation was about 85 per cent complete and that while there was no indication that the President had been involved in the Watergate burglary or cover-up, some of the evidence had raised questions about Mr. Nixon's role.

Mr. Cox said that it would be "irresponsible and unprofessional for me to make any statement about our thinking with respect to indictments or the likelihood that any person will or will not be indicted as

a result of the pending grand jury investigation."

His statement said that if any members of his staff had "been guilty of so gross a breach of professional ethics" as to engage in speculation, the individual would be "immediately dismissed."