

Judge Denies Mitchell's Request for the Tapes

New York

A federal judge turned down yesterday, for the time being at least, an effort by former Attorney General John Mitchell and former Commerce Secretary Maurice Stans to get White House tapes and other records for their perjury-conspiracy trial.

Mitchell and Stans are ac-

cused of conspiring to obstruct justice by trying to cover up a \$200,000 contribution to the Nixon campaign by fugitive financier Robert Vesco.

They had sought to subpoena any tape recordings, memoranda or other records having to do with conversations President Nixon or his aides may have had with

Harry L. Sears, New Jersey lawyer, about the Vesco contribution.

Sears, a Nixon campaigner in New Jersey who acted as go-between in the secret contribution, was indicted with Mitchell and Stans but had his trial separated.

U.S. District Judge Lee Gagliardi, who is to preside

over the Mitchell-Stans trial starting Tuesday, quashed part of their subpoena for the White House records, saying the defense was on a "fishing expedition."

He did not rule out the possibility, however, that certain White House tapes or documents might be subpoenaed later if specific White House aides are called to testify for the government.

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