

# Bork Talks With Judge on I.T.T. Cited

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WASHINGTON, Oct. 30—Before he became Acting Attorney General, Robert H. Bork, who now is responsible for directing the Government's investigation of a controversial antitrust settlement in 1971 by the International Telephone and Telegraph Corporation, met twice with a Federal judge in Hartford last year to discuss the case.

At the time, Judge M. Joseph Blumenfeld was considering appointing Mr. Bork as a special master to gather evidence relating to the possible reopening of the case, following a request from Ralph Nader, the consumer advocate.

However, Mr. Bork, then a Yale Law School professor, and Judge Blumenfeld agreed that there was no need for an additional investigation into the matters raised by Mr. Nader. The judge subsequently ruled against the Nader application.

## Friend of Chaffetz

Mr. Bork is a long-time friend and former law partner of Hammond E. Chaffetz, a Chicago Attorney who represented I.T.T. in one segment of the complex antitrust case. Mr. Chaffetz was prominently mentioned in confidential I.T.T. memorandums describing meetings between the company and high Nixon Administration officials.

Mr. Bork, in an interview confirmed the meetings with Judge Blumenfeld, and said they were held before the judge had decided that a special master in the case would be unnecessary.

He said that he recalled discussing the I.T.T. case with Mr. Chaffetz only once, and that was after the Government had

settled the outstanding antitrust cases against the big conglomerate.

Asked if he thought his discussion of the Nader application for re-examination of the \$1.5-billion merger of I.T.T. and the Hartford Fire Insurance Company had influenced Judge Blumenfeld, Mr. Bork replied, "I don't think so."

However, Reuben B. Robertson 3d, a Washington attorney and Mr. Nader's associate in the case, decried Mr. Bork's meetings with Judge Blumenfeld, and urged that he disassociate himself from any Justice Department investigation of I.T.T.

"Because of his involvement in this case, and his very close relationships in the past with I.T.T.'s law firm, Mr. Bork should certainly disqualify himself from any further involvement in the Justice Department's or the special prosecutor's investigation of I.T.T. and related matters," he said.

The I.T.T. case was turned over to the former special Watergate prosecutor, Archibald Cox, last June by Attorney General Elliot L. Richardson, who resigned Oct. 10 in protest over the dismissal of Mr. Cox by President Nixon.

## Would maintain Responsibility

Although President Nixon announced last week that a new special prosecutor would be named, the new prosecutor will report to the Attorney General. Therefore Mr. Bork still would maintain over-all responsibility for any I.T.T. matters being investigated.

Mr. Bork said that he did not believe his earlier involvements with Judge Blumenfeld and Mr. Chaffetz were grounds for disqualifying himself from the I.T.T. investigation, al-

though he said he would be "willing to take legal advice" on the matter.

Judge Blumenfeld, in an interview, confirmed his meetings with Mr. Bork, but gave a somewhat milder version. He said the only discussion was over Mr. Bork's serving as a special master, and that they had not discussed Mr. Bork's views on either the substance or the procedures of the case.

The judge said that he did not know of Mr. Bork's relationship with Mr. Chaffetz and that the question of whether it might constitute a conflict of interest never arose because he decided that a special master was not needed.

Mr. Bork said that he had been unaware that Mr. Chaffetz had been mentioned in the I.T.T. memorandums relating to settlement of the antitrust cases.

## One to Agnew

One such memorandum in the case that has been widely circulated was written on Aug. 7, 1970, by Edward J. Gerrity Jr., I.T.T.'s senior vice president, to Spiro T. Agnew, the former vice president.

It disclosed that Mr. Chaffetz had met with Justice Department officials to review the Government's antitrust case against the Canteen Corporation, an I.T.T. subsidiary.

Mr. Bork was named Solicitor General of the United States by President Nixon last December, three months after Judge Blumenfeld announced his decision not to reopen the I.T.T. case.

He was elevated to Acting Attorney General a week ago when his two superiors, Mr. Richardson and William D. Ruckelshaus, left in the aftermath the dismissal of Mr. Cox.