

TIMES ASKS COURT TO SHIELD NOTES

Acts to Bar Reporter's Data
to Ehrlichman in Suit

Special to The New York Times

WASHINGTON, Dec. 5—The New York Times has filed a motion in United States District Court here to prevent lawyers for John D. Ehrlichman, a former aide to President Nixon, from forcing one of The Times's reporters to testify or turn over his notes

about an article written last July.

The article, written by E. W. Kenworthy of The Times's Washington Bureau, contained a report that a wiretap was put on a phone in the home of Mary Jo Kopechne, an aide to Senator Edward M. Kennedy, who drowned when a car the Senator was driving plunged from a bridge on Chappaquiddic Island in 1969.

A roommate of Miss Kopechne, Margaret Carroll, has filed a suit in District Court against Mr. Ehrlichman, John J. Caulfield and Anthony T. Ulasewicz, charging the three were involved in illegally tapping the phone. Mr. Caulfield and Mr. Ulasewicz have testified before the Senate Water-

gate committee that they had done such undercover work for the White House.

Mr. Kenworthy quoted "a source close to the Senate Watergate investigating committee" as saying that the wiretap was installed "either or under the direction" of Mr. Caulfield and Mr. Ulasewicz, a former New York policeman, in the women's Georgetown home.

Miss Carroll said, in a deposition relating to the case, that she was basing her suit on The Times article and "an investigation by my attorneys" that Mr. Kenworthy's source was accurate.

Several affidavits were also filed with the motion on Mon-

day, including a statement by A.M. Rosenthal, managing editor of The Times. Speaking of the role of an investigative reporter, Mr. Rosenthal said, "more than any is dealing in areas where information is hidden, not revealed, and where the price of being identified as the source comes prohibitively high."

"Every reporter in every field needs this confidence," Mr. Rosenthal said. "The investigative reporter and his work cease to exist without it."

Floyd Abrahams, an attorney representing The Times, said today that he expected the motion to be argued before District Court Judge June L. Green "within the month."