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Midwest dairymen sue for Justice papers

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WASHINGTON — A huge midwest dairy cooperative is seeking to head off a civil antitrust suit by claiming the Justice Department brought the action in 1972 to force it to continue making Republican campaign contributions.

In a brief filed in U.S. District Court in Kansas City, the Texas-based Associated Milk Producers Inc. has asked a federal judge to order the department to produce a host of documents and memos about the controversial GOP fund-raising.

The request includes memos, records of telephone calls and other documents coming from the Justice Department, White House, Agriculture Department and others.

Among those named in the request were former Attorneys General John N. Mitchell and Richard G. Kleindienst; Nixon's personal attorney and fund raiser, Herbert W. Kalmbach; former White House special counsel Charles W. Colson, Agriculture Secretary Earl H. Butz, former Commerce Secretary Maurice J. Stans and 1972 campaign manager Clark MacGregor.

Special Watergate prosecutor Leon Jaworski reportedly is looking into an accusation that Mitchell blocked a criminal investigation of AMPI after it contributed \$202,000 to the Nixon campaign.

Mitchell said he does not recall any role in the case.

Dr. George Mehren, who became general manager of the cooperative on Jan. 12, 1972, said that at the time of the contributions, Justice Department officials in Washington already had recommendations from the department's Chicago office on the case.

"I am puzzled that simultaneously funds were going in and no action was being taken on the recommendation," said Mehren.

Mehren discussed what he called "a web of activity" leading up to the filing of a civil antitrust suit by the Justice Department against AMPI on Feb. 1, 1972.

Mehren said that since becoming AMPI's general manager he learned that AMPI's political arm, Trust Education, contributed to the Nixon campaign until for Agricultural Political mid-September 1971. Mehren said the last payment found its way to the so-called White House plumbers unit to finance the Ellsberg burglary.

By August 1971, Mehren says he had learned, the Justice Department's antitrust division had told an AMPI competitor in a letter that the Chicago office had submitted a recommendation to the Justice Department in Washington.

"I am puzzled by the failure to take action," said Mehren.

Mehren said subsequent efforts added further to his puzzlement about activity surrounding the antitrust case.

On Jan. 14, 1972, two days after he replaced Harold Nelson as AMPI general manager, Nelson and attorney Jake Jacobsen met with Kalmbach in Los Angeles but "to this day" have never reported such a meeting to Mehren, Mehren said.

"For some reason . . . Mr. Nelson and Mr. Jacobsen found that their highest priority after the change in management was to arrange to see Mr. Kalmbach and then go and do it," Mehren said.

One hypothesis of why

such a meeting took place, said Mehren, is that "there might well have been some agreement to contribute funds in 1972" and that, had

such a commitment been made by the milk producers, "the keeping of such commitment might be jeopardized" by the change in

AMPI management.

Mehren also said he has learned Kalmbach sent memoranda to the White House staff either Jan. 16 or Jan. 18, 1972, in connection with the milk matters and that on Jan. 26, a long memorandum was written from within the White House to the Department of Justice.

With less than a week's notice, the antitrust suit was filed.

Mehren said he learned of the Jan. 14 meeting of Kalmbach, Nelson and Jacobsen, as well as the two sets of memos, from the nature of questioning of prosecutors when he was a witness before the Watergate grand jury.

Mehren has said he met with Kalmbach two days after the filing of the antitrust suit but did not commit AMPI to any further contributions to the 1972 Nixon campaign.