

# Milk Data Is Sealed Over Tape Playing

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WASHINGTON, Dec. 19—

A Federal judge agreed today to restrict the public disclosure of documents in a suit against the Nixon Administration for alleged favors to the milk industry after a lawyer for Ralph Nader acknowledged that he had played a subpoenaed White House tape recording at a cocktail party.

The lawyer, William A. Dobrovir, said in United States District Court here that "I made a very foolish mistake" in playing portions of the tape while having drinks and eating salami and chopper liver with friends Monday evening.

The tape, which records a meeting between President Nixon and milk industry officials in 1971, was given to Mr. Dobrovir by the White House last week in response to a subpoena.

## Second Bid Denied

Today, Federal District Court Judge William B. Jones agreed to a Justice Department request to issue an order sealing all subpoenaed documents and tapes related to the milk case until they had been presented to the court and put on the public record.

However, Judge Jones refused another Justice Department request, made by Acting Deputy Assistant Attorney General Irwin Goldbloom, to order Mr. Dobrovir and other lawyers to refrain from talking to the press or making other public statements about the case.

The judge also declined to

censure Mr. Dobrovir, who, he said, is "recognized as an able, honorable and responsible lawyer."

Judge Jones told Justice Department officials that they could take a complaint to the grievance committee of the Federal bar if they felt Mr. Dobrovir had violated professional canons. The department official gave no indication today what course they would follow.

The judge then expressed regret over the tape incident, noting that the complaint against the Administration was "very serious and adding that "the Court cannot take the charges lightly nor can counsel."

The Nader lawsuit alleges that the Nixon Administration gave special favors to milk producers, including a sharp increase in milk price supports, in return for heavy campaign contributions.

The milk industry officially gave more than \$420,000 to the campaign to re-elect President Nixon. Evidence was recently presented indicating that \$100,000 more was given to the President's personal attorney, Herbert W. Kalmbach, in 1969 by a milk producers group.

In addition, a lawyer representing the milk industry sent a letter to Mr. Nixon promising \$2-million in campaign ads.

The tape played at the cocktail party recorded a meeting on March 31, 1971—a few days before the Administration reversed its policy and raised milk price supports—between President Nixon and milk industry executives.

Lawyers familiar with the

case say that the tape is not nearly so crucial as the recording of a meeting later that day between the President and several of his Cabinet officers, at which the decision to raise the support level reportedly was reached.

## Possible Link

This second tape, the lawyers said, could conceivably help prove whether or not there had been a quid pro quo relationship between the campaign donations and the price-supports decision.

Judge Jones was given a copy of the second tape, over which the White House claims executive privilege, while Mrs. Dobrovir was not. He received only the first tape, which, he said in court, was difficult to hear. Other sources familiar with the first tape said that it consisted largely of President Nixon giving "pep talk" to the milk industry.

Mr. Dobrovir said in court today that he had been going home Monday evening with a cassette recording he had made from the original White House tape in his pocket when he stopped off for a drink at the home of a friend in the Georgetown section of Washington. Six other people were present, including an official of A.B.C. News, Kevin Delany.

"Then I made a foolish mistake," Mr. Dobrovir told Judge Jones, who had summoned him



United Press International

**William A. Dobrovir, an attorney for Ralph Nader, talking to reporters after appearing in Federal Court, Washington.**

for an explanation. "I said, 'I've got in my pocket the hottest item in town.'"

While the group sat around the fireplace with drinks, salami and chopped liver, Mr. Dobrovir said, "We played perhaps five minutes" of the tape.

He then told the judge that his "second mistake" was that "in the relaxation of the moment I assumed it would be off the record." He also said that he had made it clear to Mr. Delany that it was off the record.