

Ehrlichman May Be Tried With Plumbers After All

By a WALL STREET JOURNAL Staff Reporter

WASHINGTON—After a day of legal maneuvers, it appeared that John Ehrlichman may yet be tried with his fellow "plumbers" in connection with the burglary of Daniel Ellsberg's psychiatrist.

At a hastily called hearing, Federal Judge Gerhard Gesell backed away from his Tuesday ruling that severed Mr. Ehrlichman, President Nixon's former chief domestic aide, from the trial scheduled to begin Monday. The judge said a last-minute "change in position" made him believe the controversy over Mr. Ehrlichman's access to White House documents can be resolved, allowing the plumbers trial to begin after only a short delay. He called attorneys to a conference this morning to try to work out the details.

The "change" the judge cited apparently referred to an affidavit from White House Counsel J. Fred Buzhardt, who swore he had examined the files and found nothing bearing on Mr. Ehrlichman's guilt or innocence. The affidavit was attached to a motion for reconsideration filed by the Watergate special prosecution force.

Judge Gesell indicated he was relieved to have found a way, at least temporarily, to avoid the drastic remedies of contempt or dismissal that he has been threatening.

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