

# Ehrlichman Will Be Tried With the Others

Washington

John D. Ehrlichman will stand trial in the Ellsberg break-in case along with three other defendants after all.

The trial begins June 26.

U.S. District Judge Gerhard A. Gesell yesterday put an end to a week of uncertainty about whether Ehrlichman would be tried with the others, or have a separate trial later.

"We will go forward with all the defendants," Gesell said firmly and set the new date. The trial had been scheduled for Monday until Ehrlichman's status came into doubt.

Ehrlichman's lawyers still were arguing that they

hadn't gotten all of the material they need from the White House for their defense.

Gesell brushed the contention aside.

"If there is any particular document you require, you may prepare a subpoena for me, document by document, with a detailed written justification, and I'll decide on a document-by-document basis," the judge said.

Gesell said he feels that the materials already turned over to Ehrlichman satisfy a requirement that a defendant is entitled to any evidence helpful to his defense that is in the hands of the government.

Ehrlichman, former White House aide to President Nixon, and three others—

Bernard L. Barker, G. Gordon Liddy and Eugenio Martinez—are charged with conspiracy to violate the civil rights of a citizen.

Conviction carries a maximum penalty of 10 years in prison and a \$10,000 fine.

The charges are in connection with the break-in at the office of Dr. Lewis Fielding, psychiatrist of Pentagon Papers figure Daniel Ellsberg.

In addition, Ehrlichman alone is charged with three counts of lying to a grand jury and one of lying to the FBI. Each count carries a maximum penalty of five years in prison and \$10,000 fine.

*Associated Press*