

# Reinecke Files Appeal

Attorneys for Lieutenant Governor Ed Reinecke, found guilty of perjury, filed a motion yesterday to set aside this conviction in Washington.

Reinecke's attorneys used the defense of "literal truth" in their motion to trial Judge Barrington Parker.

The motion claimed that Reinecke did not lie when he responded to a question at a Senate Judiciary Committee, because the question was too narrowly drawn.

Reinecke was convicted of lying to the hearing as to

when he told then - U.S. Attorney General John Mitchell about an offer from International Telephone and Telegraph to underwrite \$400,000 in expenses for the 1972 Republican National Convention.

The basic question was whether Reinecke discussed the offer with Mitchell prior to settlement of an antitrust case against ITT.

A jury found Reinecke guilty on the basis of his reply to a question in a Senate hearing put by U.S. Senator Hiram Fong (Rep - Hawaii),

who asked the lieutenant governor:

"... prior to the settlement of the ITT case no conversation was had by ... you to anyone in the Justice Department to the effect that ITT people had promised to do certain things in San Diego (the original site of the convention)?"

Reinecke's answer: "That is quite true."

His attorneys had noted that during the trial Reinecke had contended he thought the questions about a conversation with Mitchell

related to face-to-face meetings, not telephone calls. He admitted he had discussed the ITT offer with Mitchell by phone prior to the anti-trust settlement.

The brief filed with Judge Parker yesterday contended: "... the defendant's answer to the question asked is literally true, technically responsive, and legally truthful."

A source close to the court said the motion "certainly raises some serious questions" about the Reinecke verdict.