

Way Cleared For Release of Kopechne File

BOSTON (AP)—Chief Judge Bailey Aldrich of the 1st U.S. Circuit Court of Appeals today handed down an order to clear the way for release of the transcript of the inquest into Mary Jo Kopechne's death.

The order permits Suffolk Superior Court Clerk Edward V. Keating to turn the transcripts over to Sidney R. Lipman, the freelance court stenographer, who has blocked release of the documents on grounds that he alone has the right to reproduce and sell them.

The order amends a ruling issued by Aldrich yesterday in which the judge said Keating could proceed in one of two directions.

THE FIRST possibility was to release the transcripts immediately as planned by Keating. But Aldrich implied that Keating still might run the risk of suit by Lipman.

The amending order sets forth the steps which would have to be followed in the event Keating decides to follow the second possibility.

COURT SOURCES close to Aldrich said representatives of Keating requested the amending order and indications were that Keating might decide to follow the course of handing the documents to Lipman.

"If the individual defendant adopts the second alternative referred to in this order, the turnover of copies will be made on the following conditions:

"Following said turnover, the plaintiffs agreed to sell copies of the inquest transcript simultaneously to all persons desiring to purchase such copies at the time of the first release.

"**THE FEE TO** be charged for each copy . . . will be set by the plaintiffs (Lipman). . . .

"Initial distribution of copies . . . will be made at a time and place agreed upon by the parties Lipman and Keating. . . ."

The order also specifies that whatever money is collected from sale of the transcripts to be deposited in escrow until such time as a decision is made as to who has the reproduction rights—Keating or Lipman.