

CR 1827-72
GEORGE GORDON LIDDY ET AL

THIS ENVELOPE CONTAINS A CARBON COPY OF THE TRANSCRIPT OF PROCEEDINGS OF A BENCH CONFERENCE HELD ON FRIDAY, JANUARY 5, 1973, PAGES 10-13, INCLUSIVE. (REP: GERALD NEVITT)

(ORDERED SEALED PER JUDGE SIKIC)

of

is pursuant to 7/27/73 order - RAB

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**United States District Court
for the
District of Columbia**

UNITED STATES OF AMERICA,)
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V)
)
GEORGE GORDON LIDDY, ET AL.,)
)
Defendants.)

Crim. No. 1827-72

FILED ✓

JAN 8 1973

JAMES F. DAVEY, Clerk

Friday,
January 5, 1973.
Washington, D. C.

(BENCH CONFERENCE - PP 10-13, TRANSCRIBED
SEPARATELY & SEALED PER JUDGE SIRICA)

OFFICIAL TRANSCRIPT OF PROCEEDINGS

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GERALD NEVITT, CSR

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U. S. Court House
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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(AT THE BENCH:)

THE COURT: Seal this part up that is at the bench.

MR. MORGAN: I would like to present to the Court and offer as a document to be added to the court file and to our pleadings and to the record in this case a four page --

THE COURT: Keep your voice down.

MR. MORGAN: -- a four page extract from the deposition of R. Spencer Oliver in the case of Lawrence F. O'Brien, et al., Plaintiffs, vs. James W. McCord, et al., Defendants, Civil Action No. 1233-72.

I have served copies of this deposition, of these extracts, on opposing counsel and left them on their table, and with the United States, and I now ask that this be marked as Movants' Exhibit A for inclusion with this record and for Your Honor.

THE COURT: Mark this envelope Movants' Exhibit A and it will be sealed.

MR. BITTMAN: I would like to state for the record, Your Honor, that this attorney has just tendered to us apparently this four page transcript, because it is in an envelope that is sealed. I have not read it, nor at this time do I have any intention to read it, because I am not privy to that deposition, was not present and never have had an opportunity to read it.

MR. MORGAN: It is my recollection that in the

civil case Mr. Hunt was represented by Mr. Rothblatt in the deposition.

MR. BITTMAN: That is not correct. Mr. Hunt is my client. He has always been my client.

MR. MORGAN: In the civil case also?

MR. BITTMAN: Mr. Rothblatt has never represented Mr. Hunt in the criminal proceeding or any civil proceeding. Mr. Hunt is my client and always has been.

THE COURT: Have you finished, Mr. Bittman?

MR. BITTMAN: Yes, sir.

THE COURT: I will hear you, Mr. Morgan.

MR. MORGAN: The only attorney for the defendants in the civil case who appeared to depose Mr. Oliver was Mr. Rothblatt. Mr. Rothblatt did so appear at the deposition --

THE COURT: Did he state that he was representing Mr. Hunt?

MR. MORGAN: I can tell you about that in a moment, Your Honor. I am not sure that I have that in the record and I will accept Mr. Bittman's representation.

MR. BITTMAN: Your Honor, I believe I can clarify this.

At the time the Oliver deposition was taken, Mr. Hunt was not a defendant in the civil suit. Subsequently, the complaint was amended. So Mr. Hunt nor Mr. Liddy were defendants to the civil suit at that time. So they were not

parties and Mr. Rothblatt did not and could not have represented them.

THE COURT: I have ruled on the matter.

MR. MAROULIS: Your Honor, if I might also be heard for the record on this matter.

I have never seen the deposition in question. I understand it is under seal. I don't know the contents of it. Mr. Liddy was not a defendant at the time that deposition was taken and I just, frankly, don't know what is in there.

I believe that the deposition is still under the seal of the Court, also.

MR. MORGAN: I would like for the record to show that it is a mere three and one-third pages long, the document that I have, and that everybody here has been presented with them and I would be happy to wait for everybody to read it.

THE COURT: I don't think it is necessary. You have made your record. It will be part of your record.

MR. SILBERT: I state in behalf of the United States that prior to being served --and I wasn't even aware we had been served until Mr. Morgan indicated it-- we were not, of course, a party to the civil proceeding. We do not know the contents of the Oliver deposition and never read it at all.

THE COURT: Very well.

MR. ALCH: Your Honor, I would like the record to reflect that I, on behalf of Mr. McCord, join with Mr. Bittman

in his objection.

THE COURT: Very well. The exhibit will be part of the record.

You will seal the exhibit, Mr. Clerk.

This part of the transcript will be sealed.

MR. BITTMAN: Yes, Your Honor, and I would prefer to return Mr. Morgan's envelope to him without reading it.

THE COURT: You can do that after the hearing.

MR. MAROULIS: I would like the record to reflect that I, too, intend to do the same.

THE COURT: Very well.

Let's proceed.

(IN OPEN COURT:)