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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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IN RE: POSSIBLE VIOLATIONS :
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OF 18 USC 2511 and 2512 :
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- - - - -x

39.1

Grand Jury Room No. 3
United States District Courthouse
3rd & Constitution Avenue, N. W.
Washington, D. C.

Thursday, February 14, 1974

The testimony of JOHN W. DEAN, III, was presented
to a full quorum of the Grand Jury.

BEFORE:

RICHARD BEN-VENISTE, ESQ.
Assistant Special Prosecutor
U. S. Department of Justice

JILL VOLNER
Assistant Special Prosecutor
U. S. Department of Justice

GERALD GOLDMAN, ESQ.
Assistant Special Prosecutor
U. S. Department of Justice

GEORGE T. FRAMPTON, JR., ESQ.
Assistant Special Prosecutor
U. S. Department of Justice

ELIZABETH ANN TIPTON
11225 Dewey Court
Kensington, Maryland 20795
(301) 946-4436

1 fact that Mr. Magruder had leaned pretty heavily on Mr. Sloan
2 to alter his testimony.

3 Q Did there -- strike that. In your conversation
4 with Mr. Haldeman, following the meeting Mr. Haldeman had
5 with the President, what did Mr. Haldeman say?

6 A He told me that Mr. Magruder could not come back
7 to the White House. He told me Magruder had wanted to work,
8 in some capacity, on the White House staff, while assisting
9 in the Bicentennial, and that this was just not possible.
10 The President didn't want him back in the White House.

11 Q Did he indicate that the President had made a de-
12 cision, however, about giving Mr. Magruder some sort of a job?

13 A Well, I frankly don't recall in how much detail Mr.
14 Haldeman discussed that with me. I know that there was very
15 definitely a desire to get Mr. Magruder a job after that de-
16 cision was made, and I think I would be inferring rather than
17 have direct knowledge.

18 Q Now, did there come a time, on February 27th, when
19 you met with the President?

20 A Yes, I did.

21 Q Prior thereto, did you have a conversation with Mr.
22 Ehrlichman in which the subject of Executive Privilege was
23 discussed?

24 A Yes, I did.

25 Q Would you give us the substance of that conversation?

1 A The conversation emanated from the likelihood of
2 a rather vigorous set of hearings on the Watergate being
3 pursued by the Senate and I told Mr. Ehrlichman that there
4 was a good possibility that I could be called, as a lot of
5 people could be called, to appear before the Senate, and there
6 was no way in the world, I thought, that Executive Privilege
7 could be invoked.

8 I had never, in fact, discussed this matter with
9 the President or had any dealings with him directly on it
10 because I felt that if it really came to a battle on Executive
11 Privilege, it would require direct conversation with the
12 President to be protected.

13 Q Thereafter, you were called by the President to
14 meet with you?

15 A Yes, I was.

16 Q To meet with him, rather. And that occurred on the
17 27th of February, is that correct?

18 A That is correct.

19 Q Now, do you recall what was said, in substance,
20 during that meeting about to whom you ought to report?

21 A The President told me I should report to him directly
22 on matters relating to the Watergate.

23 Q Did he mention anything about Mr. Haldeman and Mr.
24 Ehrlichman in this regard?

25 A Yes, he did. He told me that they were principals --