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Court Won't Kill Indictments of 2 ITT Officials

U.S. District Court Judge Aubrey E. Robinson Jr. yesterday denied defense motions to dismiss the indictments of two International Telephone and Telegraph Corp. officials accused of lying in a 1973 Senate hearing.

The action followed an unexpected government move last Friday toward dismissing three of the six felony charges against one of the defendants, Edward J. Gerrity Jr., an ITT senior vice president, rather than risk disclosure of classified information.

Gerrity and Robert Berrellez, an ITT public relations official, are charged with lying about the corporation's financing of opponents of Marxist Salvador Allende in Chile in 1970.

It was later disclosed that ITT and the Central Intelligence Agency had worked together to oppose Allende, who won the presidential election but later died in a coup.

Berrellez's trial has been set for Oct. 23, with Gerrity's in December. Lawyers for both have indicated they will file additional motions seeking "discovery" of CIA documents relevant to the events in Chile.

A Justice Department official familiar with the cases said yesterday that the department has no plans now to drop the cases against Gerrity and Berrellez.