

UNITED STATES

V.

John C. Nickerson, Jr.  
U. S. Army

S T I P U L A T I O N

It is hereby stipulated by and between the Prosecution and the Defense, with the express consent of the accused, that if John A. Baumann, Radio Corporation of America, Front & Cooper Streets, Camden 2, New Jersey, were present in court and sworn as a witness for the Prosecution, he would testify as follows:

My name is John A Baumann and I am now, and was during the month of December 1956, an employee of the Radio Corporation of America. My title is, and was during that period of time, Manager, Special Systems and Development Marketing, Defense Electronic Products, Radio Corporation of America. I am not now, nor was I during the month of December 1956 either a member of any of the Armed Forces of the United States or an employee of any branch of the United States Government. Rather, I was a civilian employee of the Radio Corporation of America.

I know the accused in this case, Colonel Nickerson. On December 18, 1956 while at the Army Ballistic Missile Agency, Redstone Arsenal, Alabama, I was asked by Colonel Nickerson to step into his office. When I did this, the accused handed me a document entitled "Considerations on the Wilson Memorandum." Prosecution Exhibit No. \_\_\_\_\_ is the document Colonel Nickerson handed me at that time and place. It is the same size, the same format, the same title, and the contents are the same. I remember the memorandum enclosures. You will notice that it bears no Secret stamp or markings and it did not when I received it. At that time when Colonel Nickerson gave me this document he mentioned that the last three enclosures had been officially classified and should be handled as such, but that there was nothing contained in them which had not been released in the Wilson Memorandum or in speeches before the association of the United States Army. Colonel Nickerson stated further that the basic paper had been written by him as an unclassified document but that it contained certain information which might be considered sensitive in some Department of Defense circles. I hand carried this document back to Camden, New Jersey where my office is located. I read this document and it was also read by Mr. C. B. Jolliffe of my company. My secretary, Mrs K. A. Thompson at my direction reproduced one copy of this document by a facsimile process, which is similar to photostating, for our office files.

On the 8th of January 1957 I turned both Prosecution Exhibit No. \_\_\_\_\_ and the facsimile copy I have spoken about over to a United States Army CIC Agent at his request in Camden, New Jersey.

As I have already stated, I was not in the month of December 1956 either a member of any of the Armed Forces of the United States or an employee of any branch of the United States Government. Rather, I was a civilian employee of the Radio Corporation of America. My company during the month of December 1956 to my knowledge had no existing contracts with the Army Ballistic Missile Agency. However, we were discussing a possible contract and certain feasibility studies with such Agency during that period of time.



My duties, as an employee of the Radio Corporation of America discussing this possible contract and these certain feasibility studies with the Army Ballistic Missile Agency in December 1956, did not require me to have knowledge or possession of the "Considerations on the Wilson Memorandum" document given to me by Colonel Nickerson, that is, Prosecution Exhibit No. \_\_\_\_\_ or all of the information contained therein. Specifically, these duties did not require knowledge or possession of the Quarles and Brucker Memorandums, the last two inclosures to Prosecution Exhibit No. \_\_\_\_\_, or the information contained therein. The same is true of the Wilson Memorandum of 9 November 1955, the second inclosure to Prosecution Exhibit No. \_\_\_\_\_. Similarly, these duties did not require knowledge or possession of the information concerning army funding as set forth in the second sentence, first paragraph of Section II, page 2 or the information set forth in Section VII, pages 6 and 7 together with the specific dates shown therein, all of these references being to the first fourteen page portion of Prosecution Exhibit No. \_\_\_\_\_. I did not know this information prior to receiving this document.

For Radio Corporation of America long range planning purposes, most of the information set forth in this document was interesting and much of it would be useful to Radio Corporation of America. However, as I have already stated my duties as a representative of Radio Corporation of America discussing the possible contract with the Army Ballistic Missile Agency in December of 1956 did not require me to have most of the information contained in the document personally given to me by the accused.

\_\_\_\_\_  
Ray Jenkins, Defense Counsel

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Robert K. Bell, Defense Counsel

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Charles R. Zimmer, Lt Col, JAGC  
Defense Counsel

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John C. Nickerson, Jr., Accused

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William G. Barry, Lt Col, JAGC  
Trial Counsel