

# Courtroom battle set VETERANS to begin in VFW case 20-85

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SANTA CRUZ — Courtroom preliminaries began this morning in the attempt by the national Veterans of Foreign Wars to oust a local post for its opposition to U.S. intervention in Central America.

Supporters and members of the local post, some wearing battle ribbons, filled the courtroom of visiting Superior Court Judge Jay Pfotenhauer, waiting for the arguments to start.

Attorneys spent the morning in conference in the judge's chambers. Pfotenhauer recessed court at 11:30 this morning, to resume this afternoon. The courtroom arguments could continue until tomorrow, attorneys say.

The judge may not decide immediately whether the post's ouster by the national organization last March was legal, but may take the matter under submission.

Attorneys for the national organization say that local VFW Bill Motto Post 5888 broke the organization's rules when it authored a resolution supporting "self-

determination" and "non-intervention" in Central America.

The national organization, described outside court this morning as "conservative" by its Adjutant General, Howard Vander Clute, staunchly defends "American primacy" in Central America.

The national organization revoked the post's charter in March after the local group refused to toe the organizational line and support the Reagan administra-

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tion's interventionist policy in Central America.

In December, the Bill Motto Post had voted to oppose intervention in the area. A post member took a copy of that resolution to Managua, Nicaragua, and gave it to Nicaraguan President Daniel Ortega.

Many of the organization's two million members equate the local post's actions with Jane Fonda's visit to Hanoi during the Vietnam war.

The local group was told it had broken organizational rules by defying a mandatory national resolution, and was drummed out. "The post does not exist," Assistant Adjutant General Ed Brunham said in April.

But the ranks of the exiled post have swelled from 68 members to 152 since the story hit the press. The post is the first VFW post in the 80-year history of the group to take a public stand against a national policy.

The post was named after Bill Motto, a highly decorated combat medic in the Vietnam war who was a harsh critic of that war. Motto died at age 31 of a heart attack.

The local post took the revocation to court March 19. Superior Court Judge Donald O. May ordered the national organization to show its by-laws were violated.

The national organization was thwarted in attempt to move the case into federal court in April. U.S. District Court Judge Marilyn Hall-Patel told VFW lawyers that the case involves internal VFW affairs, not federal law, and belongs in Superior Court here.

She accused the national organization's lawyers of taking a "cheap shot" in refer-

ring to her former membership in the American Civil Liberties Union.

Local attorney Eric Schenk represents the Bill Motto Post 5888. The national organization is represented by Bay Area attorney Kristine Hanson and Lawrence Maher, a VFW lawyer from Kansas City.