

Harold

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff

v.

UNITED STATES GENERAL SERVICES  
ADMINISTRATION,

Defendant

Civil Action No. 2052-73

MEMORANDUM OF POINTS AND AUTHORITIES IN  
SUPPORT OF DEFENDANT'S MOTION FOR EXTENSION  
OF TIME WITHIN WHICH TO ANSWER OR OTHERWISE  
PLEAD WITH RESPECT TO THE COMPLAINT AND TO  
RESPOND TO INTERROGATORIES

Rule 6(b)(1), Federal Rules of Civil Procedure.

Defendant's response to the complaint is currently due on January 14, 1974. While it is anticipated that defendant will submit a motion to dismiss or, in the alternative, for summary judgment, the agency involved has experienced delay in the preparation and transmittal of materials necessary for the preparation of such a motion. To date, counsel for defendant has not received those materials, and will need the requested extension to receive the materials and properly prepare a motion in this case.

In addition, defendant's response to plaintiff interrogatories is currently due on January 14, 1974. Those interrogatories, mailed on November 29, 1973, were originally due on January 2, 1974.

Rules 33 and 6, Federal Rules of Civil Procedure. Although counsel for defendant tried unsuccessfully to contact plaintiff's counsel on January 2, 1974, on January 3, 1974, counsel orally stipulated that responses to plaintiff's interrogatories might be due on the

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answer date of January 14, 1974. Plaintiff's interrogatories require research and the drafting of responses within the agency, and inasmuch as that process is also incomplete, and counsel for defendant has not yet received those responses, a like extension of time is requested.

For the foregoing reasons, defendant respectfully requests that its time to respond to the complaint and to plaintiff's interrogatories be extended to and including February 13, 1974.

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EARL J. SILBERT  
United States Attorney

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ARNOLD T. ALKENS  
Assistant United States Attorney

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MICHAEL J. RYAN  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

v.

UNITED STATES GENERAL SERVICES  
ADMINISTRATION,

Defendant

Civil Action No. 2052-73

ORDER

Upon consideration of Defendant's Motion for Extension of Time  
Within Which to Answer or Otherwise Plead with Respect to the Complaint  
and to Respond to Interrogatories and the entire record herein, it is  
by the Court this \_\_\_\_\_ day of \_\_\_\_\_, 1974,

ORDERED that Defendant's time to answer or otherwise plead with  
respect to the complaint and to respond to plaintiff's interrogatories  
be and it hereby is extended to and including February 13, 1974.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing Defendant's Motion for Extension of Time, etc., supporting Memorandum of Points and Authorities and proposed Order has been made upon plaintiff by mailing a copy thereof to his attorney, James H. Lesar, Esq., 1231 Fourth Street, S. W., Washington, D. C. 20024, on this 14th day of January, 1974.

/s/  
\_\_\_\_\_  
MICHAEL J. RYAN  
Assistant United States Attorney  
U. S. Courthouse  
Room 3421  
426-7375