

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff

-v-

UNITED STATES DEPARTMENT OF JUSTICE,  
et al.,

Defendants

Civil Action No. 75-226

DEFENDANTS' MOTION TO DISMISS

Defendants, by their attorney, the United States Attorney for the District of Columbia, respectfully move the Court to dismiss the instant action for lack of jurisdiction over the subject matter inasmuch as the action has become moot. Rule 12(b)(1), Federal Rules of Civil Procedure.

In support of this motion, defendants incorporate herein by reference their previously filed Opposition to Plaintiff's Motions to Strike, etc., with attached Government Exhibits 1 and 2, and submit herewith the supplemental affidavit of John W. Kilty, Special Agent of the Federal Bureau of Investigation (Government Exhibit 3), and a memorandum of points and authorities.

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EARL J. SILBERT  
United States Attorney

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ROBERT N. FORD  
Assistant United States Attorney

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MICHAEL J. RYAN  
Assistant United States Attorney

CERTIFICATE OF SERVICE

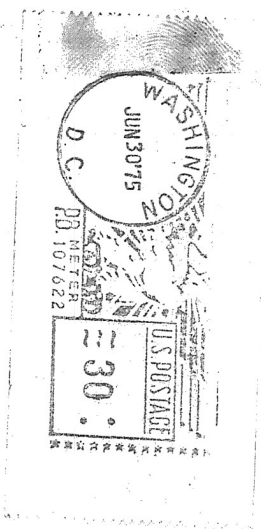
I HEREBY CERTIFY that service of the foregoing Defendants' Motion to Dismiss together with supporting memorandum of points and authorities and proposed Order has been made upon plaintiff by handing a copy thereof to James Hiram Lesar, Esquire, 1321 Fourth Street, S.W., Washington, D. C. 20024 on this 30th day of June, 1975.

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