

IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

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MAY - 4 1979

CLERK OF THE UNITED
STATES COURT OF APPEALS

.....
HAROLD WEISBERG,

Plaintiff-Appellant

v.

GENERAL SERVICES ADMINISTRATION

Defendant-Appellee.
.....

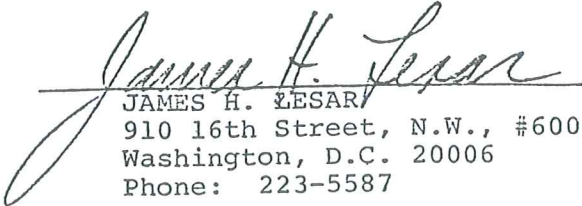
Case No. 77-1831
Case No. 78-1731
Consolidated

MOTION TO CORRECT AWARD OF COSTS

Comes now the appellant, Harold Weisberg, and moves the Court for an order correcting the amount of the award of costs set forth in its order of April 12, 1979, by changing said award from \$492.54 to the correct amount which is \$522.06.

As stated in the attached affidavit of Mr. James H. Lesar, counsel for appellant, the Court's award of \$492.54 is based upon a typographical error which he made in typing up the bill of costs.

Respectfully submitted,


JAMES H. LESAR
910 16th Street, N.W., #600
Washington, D.C. 20006
Phone: 223-5587

Attorney for Appellant

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CERTIFICATE OF SERVICE

I hereby certify that I have this 4th day of May, 1979,
mailed a copy of the foregoing Motion to Correct Award of
Costs to Ms. Linda M. Cole, Appellate Staff, Civil Division,
U.S. Department of Justice, Washington, D.C. 20530.



JAMES H. LESAR

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HAROLD WEISBERG, :
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Plaintiff-Appellant, :
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v. : Case No. 77-1831
:
:
GENERAL SERVICES ADMINISTRATION : Case No. 78-1731
:
Defendant-Appellee : Consolidated
:
:
.....

AFFIDAVIT OF JAMES HIRAM LESAR

I, James Hiram Lesar, first having been duly sworn, depose and say as follows:

1. I prepared and typed the Bill of Costs which appellant submitted to this Court in connection with the above-entitled cases.
2. Appellant's Bill of Costs contained a typographical error in that it incorrectly listed the xeroxing charge for the Appendix in Case No. 78-1731 as being \$0.04 per page when in fact it was \$0.06 per page. The rate for this Appendix was different from that of the other items listed on the Bill of Costs because it was the only one done at Panic Press.
3. Although the per page rate from this Appendix was incorrect, the total dollar figure (\$88.56) was correct. However,

because the Clerk thought it was the dollar figure rather than the per page rate which was incorrect, he credited Weisberg with a cost of only \$59.04 for the appendix. As a result, Weisberg was awarded \$492.54 rather than the correct bill of \$522.06 which he had submitted as his actual costs.

James H. Lesar
JAMES H. LESAR

WASHINGTON, D.C.

Subscribed and sworn to before me this 4th day of May, 1979.

Judith A. Hartwell
NOTARY PUBLIC IN AND FOR
THE DISTRICT OF COLUMBIA



My commission expires 7/31/79.