

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 75-1448
)	
GENERAL SERVICES)	
ADMINISTRATION,)	
)	
Defendant.)	
_____)	

MOTION FOR ENLARGEMENT OF TIME

Pursuant to Rule 6(b), Federal Rules of Civil Procedure, the defendant respectfully requests an enlargement of time to and including July 27, 1979 to oppose or otherwise respond to the plaintiff's motion for attorneys fees and costs. The additional time is requested due to the press of other business, but primarily because the agency counsel from whom essential information has been requested is out-of-town. The undersigned is informed that agency counsel will return in early July, having been gone since mid June.

A key issue in determining whether an award of attorneys fees is appropriate is whether plaintiff is a "prevailing party." From the record, it appears that the release of the two transcripts which plaintiff obtained was the product not of plaintiff's efforts, but of an independent decision by the agency to declassify information because of Congressional inquiries. Agency counsel who has been with this case since its 1975 inception will be providing the necessary supporting information upon which the defendant's opposition will be based. Accordingly, this enlargement of time is requested.

Respectfully submitted,

Earl J. Silbert
EARL J. SILBERT
United States Attorney

Royce C. Lamberth
ROYCE C. LAMBERTH
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PATRICIA J. KENNEY
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing Motion for
Enlargement of Time has been made by mailing a copy thereof to
plaintiff counsel James H. Lesar, Esquire, 910 16th Street, NW.,
#600, Washington, D. C. 20006, on this 29th day of June, 1979.

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CIVIL ACTION
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O R D E R

UPON CONSIDERATION of defendant's motion for enlargement of time, and the entire record, it is by the Court this ____ day of _____, 1979

ORDERED that the defendant has to and including July 27, 1979 to file an opposition to the plaintiff's motion for attorney fees and costs.

UNITED STATES DISTRICT JUDGE