

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG, :  
 :  
 Plaintiff :  
 :  
 v. : CIVIL ACTION 75-1448  
 :  
 GENERAL SERVICES :  
 ADMINISTRATION, :  
 :  
 Defendant :  
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**FILED**

JUL 14 1980

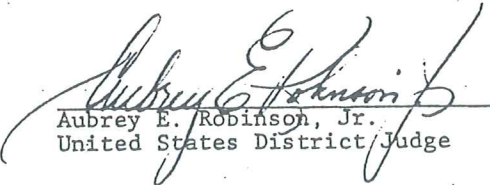
JAMES F. DAVEY, CLERK

ORDER

This matter is before the Court on plaintiff's motion for an award of attorneys fees and other litigation costs pursuant to 5 U.S.C. §552(a)(4)(E). The Court has reviewed plaintiff's motion, the opposition thereto, plaintiff's reply and additional filings by both parties, and is familiar with the entire record herein.

In this action plaintiff sought disclosure of three Warren Commission executive session transcripts. Defendant was initially granted summary judgment with respect to all three transcripts. However, while this case was pending on appeal and for reasons unrelated to this litigation, defendant disclosed two of the three transcripts to plaintiff. Upon the record herein this Court finds that plaintiff has not "substantially prevailed" within the meaning of 5 U.S.C. §552(a)(4)(E), and therefore, it is by the Court this 14th day of July, 1980,

ORDERED, that plaintiff's motion be and hereby is DENIED.

  
Aubrey E. Robinson, Jr.  
United States District Judge