

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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:
HAROLD WEISBERG, :
:
Plaintiff, :
:
v. :
:
U.S. DEPARTMENT OF JUSTICE, :
:
Defendant :
:
.....

RECEIVED

JUN 4 1979

JAMES F. DAVEY, Clerk

Civil Action No. 75-1996

MOTION FOR LEAVE TO FILE OPPOSITION
TO DEFENDANT'S MOTION FOR PARTIAL SUMMARY
JUDGMENT OUT OF TIME

Comes now the plaintiff, Mr. Harold Weisberg, and requests leave to file his Opposition to Defendant's Motion for Partial Summary Judgment Out of Time. In support of his motion, plaintiff represents to the Court as follows:

1. Plaintiff previously filed a motion for an extension of time to and including May 31, 1979 within which to file his Opposition to defendant's motion for partial summary judgment. Counsel for defendant consented to the extension of time request. The Court has not acted upon the motion for extension of time.

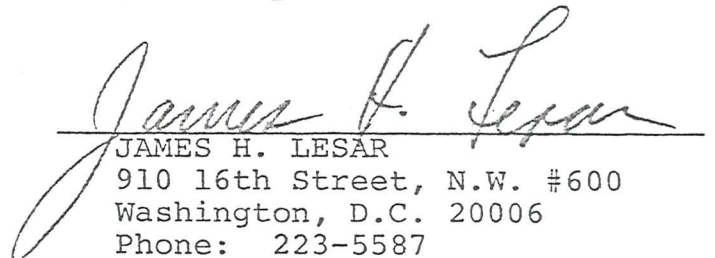
2. Plaintiff's counsel had expected to file the Opposition by midnight, May 31, 1979. He worked on the Opposition from approximately 11:00 a.m. May 31, 1979 until 5:45 a.m. the following morning in an effort to complete it, but failed. A conference with another lawyer on a matter that could not be postponed kept him from completing the motion on Friday, June 1, 1979.

3. Plaintiff's counsel has worked assiduously to complete the Opposition at the earliest possible date. Because plaintiff's

counsel is a sole practitioner who has no secretarial or clerical assistance, it is sometimes difficult for him to manage his workload in a manner which permits him to file pleadings expeditiously. A principal difficulty has been the fact that of the nine Freedom of Information Act cases which plaintiff's counsel has filed for plaintiff since 1975, only one has been finally concluded as of this date. Because of this fact, plaintiff's counsel has filed no new FOIA cases in more than a year.

Accordingly, plaintiff asks that the Court grant him leave to file his Opposition to defendant's Motion for Partial Summary Judgment, time having expired.

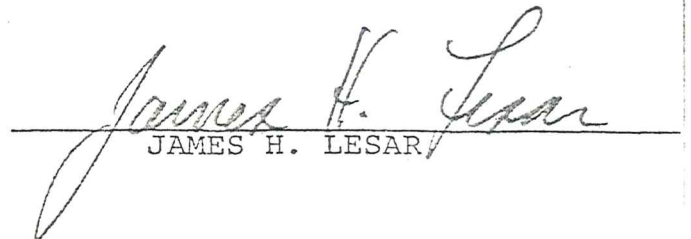
Respectfully submitted,


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Washington, D.C. 20006
Phone: 223-5587

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have this 4th day of June, 1979, mailed a copy of the foregoing Motion for Leave to File Opposition to Defendant's Motion for Partial Summary Judgment Out of Time to Ms. Betsy Ginsberg, Attorney, Civil Division, U.S. Department of Justice, Washington, D.C. 20530.


JAMES H. LESAR