

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

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Civil Action No. 75-1996

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JAMES F. DAVEY, Clerk

MOTION FOR EXTENSION OF TIME

Comes now the plaintiff, Mr. Harold Weisberg, and moves the Court for an extension of time, to and including January 13, 1981, within which to file an opposition to defendant's motion for summary judgment. In support of his motion, plaintiff represents to the Court as follows:

1. On Monday, January 5, 1981, plaintiff conferred by phone with his attorney regarding his progress in completing an affidavit in opposition to defendant's motion for summary judgment. He advised the undersigned counsel that he had completed a draft of a rather lengthy affidavit, and that he expects that his wife will be able to finish typing this affidavit sometime on Tuesday, January 6, 1981.

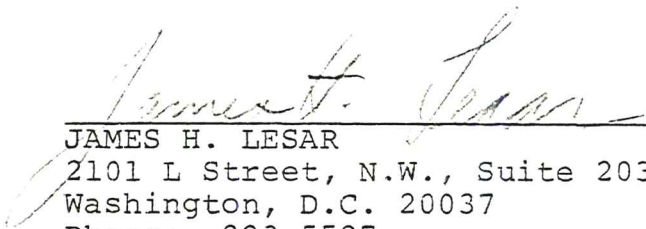
2. Plaintiff has previously asked for an extension of time, to and including January 7, 1981, within which to file his opposition. In the past plaintiff has been able to rush such materials to his counsel by means of Greyhound Express. However, this requires him to drive to the bus station in Frederick, Maryland--plaintiff lives in the country outside Frederick--and he is under doctor's orders not to venture outside in below freezing weather except when it is medically necessary. This means that he will

not be able to get a copy of this affidavit to his counsel before January 7th at the earliest, and most likely not until January 8th or 9th. Because of the length of this affidavit and the voluminous nature of the submission made by the defendant in support of its motion for summary judgment, plaintiff's counsel will need one to two days to review this material and prepare the opposition.

3. Plaintiff very much regrets the delay in completing his affidavit. However, the state of his health is such that he is very much hampered in his ability to work either proficiently or for any great length of time with rest or interruption.

Accordingly, plaintiff requests that his motion for an extension of time be granted.

Respectfully submitted,

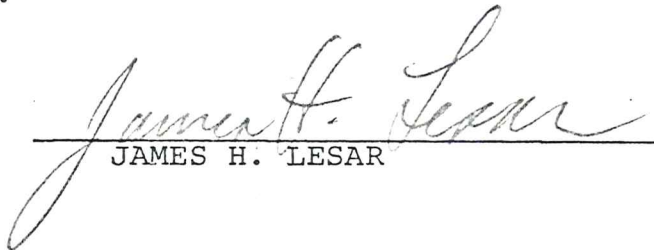


JAMES H. LESAR
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Phone: 223-5587

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have this 6th day of January, 1981, mailed a copy of the foregoing motion for extension of time to Mr. William G. Cole, Civil Division, Room 3137, U.S. Department of Justice, Washington, D.C. 20530.



JAMES H. LESAR

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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	:	
Plaintiff,	:	
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v.	:	Civil Action No. 75-1996
	:	
	:	
U.S. DEPARTMENT OF JUSTICE,	:	
	:	
Defendant	:	

O R D E R

Upon consideration of plaintiff's motion for an extension of time within which to file an opposition to defendant's motion for summary judgment, and the entire record herein, it is by the Court this _____ day of _____, 1981, hereby

ORDERED, that plaintiff's time within which to file an opposition to defendant's motion for summary judgment is extended to and including January 13, 1981.

UNITED STATES DISTRICT COURT