

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

X/ma

BERNARD FENSTERWALD, JR.,

Plaintiff,

v.

DEPARTMENT OF JUSTICE,

Defendant.

Civil Action Number 76-432

DEFENDANT'S MOTION TO STAY PENDING COMPLETION
OF ADMINISTRATIVE REVIEW

Defendant, by its attorney, the United States Attorney for the District of Columbia, respectfully moves the Court pursuant to 5 U.S.C. §552(a)(6)(C) to stay the above-captioned proceedings, including an enlargement of time within which defendant may respond to plaintiff's motion for summary judgment, pending the completion of defendant's review of the documents which have been requested by plaintiff under the Freedom of Information Act, 5 U.S.C. §552 et seq.

In support of this motion, defendant attaches hereto a memorandum of points and authorities with the affidavit of Quinlin J. Shea, Jr., and the affidavit of John E. Howard, Special Agent, Federal Bureau of Investigation, and a proposed Order.

EARL J. SILBERT
United States Attorney

ROBERT N. FORD
Assistant United States Attorney

ROGER C. SPAEDER
Assistant United States Attorney

5/14/76

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing Defendant's Motion to Stay Pending Completion of Administrative Review, Memorandum in Support Thereof, Affidavits, and proposed Order has been made upon plaintiff by mailing a copy thereof to him, pro se, Bernard Fensterwald, Jr., 910 16th Street, N.W., Washington, D.C. 20006, on this 21st day of May, 1976.

ROGER C. SPAEDER
Assistant United States Attorney
U.S. District Courthouse
Room 3438-B
Washington, D.C. 20001
426-7154