

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

HAROLD WEISBERG,

Plaintiff-Appellant,

v.

No. 77-1831

GENERAL SERVICES ADMINISTRATION,

Defendant-Appellee.

APPELLEE'S MOTION FOR AN ADDITIONAL  
EXTENSION OF TIME WITHIN WHICH TO FILE ITS BRIEF

Appellee respectfully moves this Court for an extension of time of thirty (30) days to and including January 26, 1978, in which to file its brief. Appellee states in support of the motion the following reasons:

- 1.) Appellee's brief is presently due on December 27, 1977.
- 2.) Michael F. Hertz is the attorney primarily responsible for the preparation of appellee's brief. Because of the very heavy press of previously assigned appellate matters including -- an oral argument held in the Seventh Circuit in Willow Creek Lumber Co., Inc. v. Gary National Bank, et al., Nos. 77-1536, 1537 on November 28, 1977; a brief filed in the Fourth Circuit on December 7, 1977, in United States of America and Susquehanna Concrete Products, Inc. v. Harford Sands, Inc., No. 77-2081; an oral argument held in the Eighth

Circuit in First National Bank of Eden v. Department of the Treasury, Office of the Comptroller, No. 77-1483 on December 13, 1977; a brief due in the Sixth Circuit on January 3, 1978, in Fielder v. Cleland, No. 77-1478; a reply brief due and an oral argument scheduled in the First Circuit in Ruotolo v. Ruotolo, No. 77-1445 on January 6, 1978; a brief due in this Court on January 9, 1978 in Founding Church of Scientology v. National Security Agency, No. 77-1975; an oral argument scheduled in this Court in Ray v. Bush, No. 77-1401 on January 17, 1978, and because of the inevitable delays because of the holiday seasons, it will not be possible for us to complete preparation of appellee's brief until January 26, 1977.

3.) One previous extension has been requested by the appellee.

We, therefore, respectfully request the appellee be granted an extension of thirty (30) days from December 27, 1977, to and including January 26, 1978 in which to file its brief.

Respectfully submitted,

/s/ Leonard Schaitman  
LEONARD SCHAITMAN, 202-739-3321

/s/ Michael F. Hertz  
MICHAEL F. HERTZ, 202-739-4096  
Attorneys,  
Appellate Section, Civil Division,  
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Washington, D. C. 20530

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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of December, 1977,  
I served the foregoing Motion upon counsel, by causing a copy  
to be mailed, postage prepaid, to:

James H. Lesar, Esquire  
910 16th Street, N.W.  
Suite 600  
Washington, D. C. 20006

/s/ Michael F. Hertz  
MICHAEL F. HERTZ, 202-739-4096  
Attorney.