

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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JUN 2 1978

JAMES F. DAVEY, Clerk

.....
HAROLD WEISBERG,

Plaintiff,

v.

CENTRAL INTELLIGENCE AGENCY,
et al.,

Defendants
.....

Civil Action No. 77-1997

MOTION FOR EXTENSION OF TIME IN WHICH TO OPPOSE
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Comes now the plaintiff, Harold Weisberg, and moves the Court for an order extending his time to file an opposition to Defendants' Motion for Summary Judgment to and including June 17, 1978.

As grounds for this motion plaintiff states as follows:

1. Although mailed on May 26, 1978 from the main post office, defendants' motion was not received by plaintiff's attorney until Thursday, June 1, 1978.

2. The motion and the documents which accompany it are voluminous. These papers will require careful study by both plaintiff and his lawyer. Plaintiff's counsel is having xerox copies made so he can send the originals of the documents received to his client for study. Plaintiff will not receive these documents, at the earliest, before Monday, June 5, 1978.

3. Both plaintiff and his counsel are currently tied up in other litigation concerning plaintiff's other Freedom of Information Act lawsuits. Plaintiff's counsel intends to spend the entire weekend and Monday, June 5, 1978, writing a brief for the United States Court of Appeals which has long been postponed in

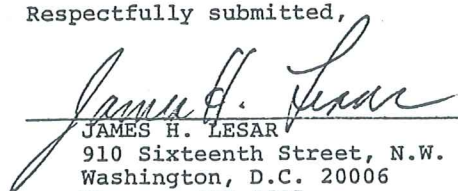
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the case of Weisberg v. U.S. Department of Justice, et al, No. 78-1107. The moment he finishes that brief, he will have to devote most of his time until Friday, June 9, 1978, on work on a divorce matter and a hearing on a motion for summary judgment in another Freedom of Information Act case. In addition, plaintiff's counsel should also initiate some discovery in Weisberg v. Department of Justice, Civil Action No. 75-1996 by June 9, 1978.

4. Plaintiff's counsel is a sole practitioner. Except for a limiting amount of filing and xeroxing which is done by a part-time employee, plaintiff's counsel does all his own work, including the typing of all papers and briefs. This is necessary because plaintiff's counsel has devoted nearly all of his time over the past seven years to pro bono or deferred compensation cases and cannot yet afford to hire a secretary or clerk to assist him.

For the foregoing reasons, and because plaintiff's counsel cannot possibly begin work on the Opposition to Defendants' Motion For Summary Judgment in this case before Monday, June 12, 1978, plaintiff requests an extension of time to and including June 17, 1978 in which to file said Opposition.

Respectfully submitted,



JAMES H. LESAR
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Washington, D.C. 20006
Phone: 223-5587

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have this 2nd day of June, 1978, mailed a copy of the foregoing Motion for Extension of Time In Which to Oppose Defendants' Motion for Summary Judgment to Miss Jo Ann Dolan, P.O. 7219, Washington, D.C. 20044.

James H. Lesar

JAMES H. LESAR

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: :
et al., : :
: :
Defendants : :
: :
.....

O R D E R

Upon consideration of plaintiff's motion for an extension of time within which to file an opposition to defendants' Motion for Summary Judgment, and the entire record herein, it is by the Court this _____ day of _____, 1978, hereby

ORDERED, that plaintiff's time for filing an opposition to defendants motion for summary judgment is extended to and including June 17, 1978.

UNITED STATES DISTRICT COURT