

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

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STATES COURT OF APPEALS

HAROLD WEISBERG, :
 :
 Appellant, :
 :
 v. : Case No. 78-1107
 :
 U.S. DEPARTMENT OF JUSTICE, :
 et al., :
 Appellees :


MOTION FOR AN AWARD OF ATTORNEY'S FEES

Comes now the appellant, Mr. Harold Weisberg, and moves the Court for an award of attorney's fees in the amount of \$500 for time expended in efforts to secure payment of the bill of costs awarded by this Court on June 6, 1980.

In support of his motion appellant hereby incorporates by reference the motion he filed on October 27, 1980, for an order to show cause why these appellees should not held in contempt of court for failure to timely pay the bill of costs. Appellant's contempt motion recited facts showing the persistent efforts of his attorney made over a three month period to ensure prompt payment of this award. Appellees' opposition to the contempt motion attached a copy of the voucher for the bill of costs which showed that it was not even prepared until November 5, 1980, after the contempt motion was filed. The surrounding circumstances suggest that the delay in payment is motivated by a war of attrition which

government agencies are waging against appellant Weisberg because of his successful Freedom of Information Act litigation and his public criticisms of government agencies involved in investigating the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr. This Court should not countenance the disrespect for its orders that is manifest in appellees' failure to timely pay the award of costs. The only effective way of putting an end to this form of petty harrassment of an litigant who is unpopular with the government precisely because of his useful role in disclosing its failures and wrongdoings is to make appellees pay the legal fees which Weisberg has incurred as a result.

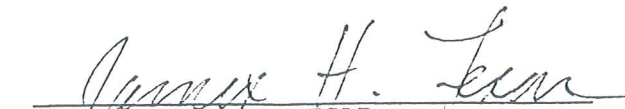
Respectfully submitted,


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Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby certify that I have this 14th day of November, 1980, mailed a copy of the foregoing Motion for Award of Attorney's Fees to Assistant United States Attorney Michael Ryan, United States Courthouse, Washington, D.C. 20001.


JAMES H. LESAR