ture of Rule 37, by concerns for effective appellate review, and by concerns for the tension created in the attorney-client relationship when the attorney is subject to personal liability.

Rule 37 places the responsibility of apportioning awards of expenses between client and counsel with the trial court. The trial court is in the best position to judge how much responsibility is due to the client's recalcitrance and how much to the lawyer's condonance or participation in the client's disobedience. In the present case, although the District Court may have analyzed such factors and reached a well-founded conclusion, no such analysis was presented in any opinion. Accordingly, on the question of the proper division, if any, of the liability for expenses between Weisberg and Lesar, we remand to the trial court for more complete findings.

III. Conclusion

We hold that the plaintiff in this FOIA action was properly required by the District Court to respond to government interrogatories. We also affirm the District Court's order dismissing this case with prejudice for plaintiff's refusal to obey the orders of the Court. On the award of expenses against appellants, we remand to the District Court for determination of:

(1) Whether the documentation submitted and to be submitted by the government to support its request for attorneys fees satisfies our test in *Concerned Veterans*, and

(2) The proper division of responsibility between lawyer and client for the conduct which led to the award of expenses, with findings by the District Court which apportion their liability.

So Ordered.

Phillips, 3/2/82, p 3, 51,473-Ap
Undated 514 48,754
Vaughn versus regime more than
126,000 man hours p 6