

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

v.

Civil Action Nos.
78-322 and 78-420
(Consolidated)

FEDERAL BUREAU OF INVESTIGATION,

Defendant.

DEFENDANT'S MOTION AND MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF AN EXTENSION OF TIME

On March 14, 1983, the defendant received plaintiff's "Motion to Strike All Sworn Statements by FBI Special Agent John N. Phillips and Motion to Hold Evidentiary Hearing on Plaintiff's Charges that Defendant Has Submitted False Information to the Court." Such motions were served by mail on March 8, 1983; accordingly, defendant's response is due on or before March 21, 1983.

In order to respond to plaintiff's motions, counsel for the defendant had to confer with officials at FBI Headquarters and its New Orleans Field Office. Those officials, in turn, had to check their records in order to figure out what files plaintiff was referring to in his memorandum and affidavit in support of the motions. Having pinpointed those files, it became evident that a FBI agent in New Orleans would have to submit a sworn declaration which addresses plaintiff's charges against the Bureau and its personnel. That FBI agent is currently formulating such a declaration with the assistance of counsel. Counsel will then draft and file an opposition to plaintiff's motions based on that

*with an
FBI report
giving the
file number*

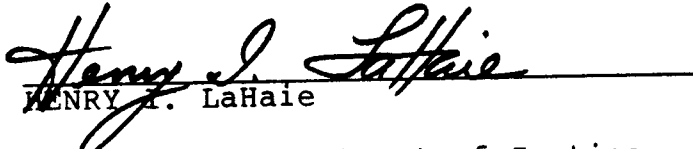
declaration. Additional time is needed, however, to do so. The defendant thus requests the Court to grant it an additional eight days, or until March 29, 1983, to serve its response to plaintiff's motions.

Respectfully submitted,

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ORDER

Upon consideration of defendant's motion for an extension of time within which to respond to plaintiff's Motion to Strike All Sworn Statements by FBI Special Agent John N. Phillips and Motion to Hold Evidentiary Hearing on Plaintiff's Charges that Defendant Has Submitted False Information to the Court," served on March 8, 1983, and the entire record herein, it is hereby

ORDERED, that defendant's time to serve its response to plaintiff's motions is extended to, and including, March 29, 1983.

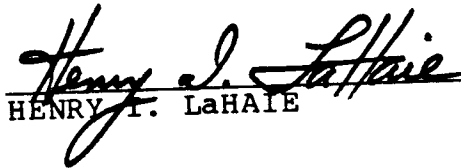
Dated this ____ day of March, 1983.

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify on this 18th day of March, 1983, I have served the foregoing Defendant's Motion and Memorandum of Points and Authorities in Support of an Extension of Time, and a proposed Order, by first class mail, to:

James H. Lesar, Esq.
Suite 900
1000 Wilson Boulevard
Arlington, Virginia 22209


HENRY I. LAHAIE