

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FILED

APR 28 1983

HAROLD WEISBERG,

JAMES F. DAVEY, Clerk

Plaintiff,

v.

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

FEDERAL BUREAU OF  
INVESTIGATION,

Defendant.

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ORDER

On March 15, 1983, the defendant moved the Court, pursuant to Rule 37(a), F.R.Civ.P., for an Order compelling plaintiff to answer its discovery and assessing against him and his counsel the reasonable expenses, including attorney fees, incurred in obtaining that Order. Upon consideration of plaintiff's opposition thereto and after conducting a hearing thereon, the Court, on April 13, 1983, granted defendant's motion and ordered the plaintiff to answer defendant's discovery within 30 days. The Court also directed the defendant to submit an affidavit detailing the reasonable expenses, including attorney fees, it had incurred in prosecuting the motion to compel. The defendant complied with that directive and demonstrated that its counsel had expended 12.5 hours with respect to the motion. Defendant requested a rate of \$53 per hour for its counsel's work, for a total of \$662.50. It also requested \$22.00 for the cost of photocopying the motion and the memoranda and exhibit in support of the motion. As a result

of its consideration of that expense itemization by defendant, the Court finds that the applied for expenses, including attorney fees, are reasonable and fully documented. Accordingly, it is this 28<sup>th</sup> day of April, 1983,

ORDERED that:

Defendant is awarded expenses under Rule 37(a)(4), F.R.Civ.P., in the amount of \$684.50; and that plaintiff shall pay said amount to the United States within sixty (60) days from the date of this Order.

  
UNITED STATES DISTRICT JUDGE