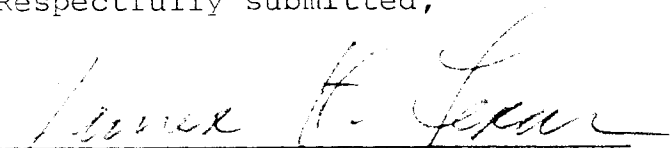


orders of the court and defendant had proceeded to a successful ent to the litigation his exepnses would have been any less.)

In addition, it is well recognized that dismissal for failure to comply with orders compelling discovery is a drastic sanction. National Hockey League v. Metropolitan Hockey Club, Inc., 427 U.S. 639, 643 (1976) (per curiam) ("most severe in the spectrum of sanctions"); Corchado v. Puerto Rico Marine Management, Inc., 665 F.2d 410, 413 (1st Cir. 1981). Defendants had other available sanctions to them but just dismissal, notwithstanding theier previous insistence on performing an expensive Vaughn sampling index rather than settling the case along the lines proposed by plaintiff. Plaintiff clearly had a justifiable legal basis for contending that other sanctions were more appropriate than dismissal.

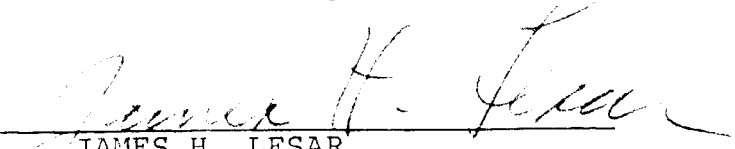
Respectfully submitted,


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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of December, 1983, mailed a copy of the foregoing Opposition to Mr. Henry LaHaie, Civil Division, U.S. Department of Justice, Washington, D.C. 20530.


 JAMES H. LESAR