

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



HAROLD WEISBERG, :
 :
Plaintiff-Appellant :
 :
v. : Case No. 81-1009
 :
GENERAL SERVICES ADMINISTRATION, :
 :
Defendant-Appellee :

APPELLANT'S MOTION FOR LEAVE TO FILE BRIEF
AND APPENDIX, TIME HAVING EXPIRED

Comes now the appellant, Mr. Harold Weisberg, and moves the Court for leave to file his brief and appendix, time having expired. As grounds for his motion, appellant represents to the Court as follows:

1. His brief and appendix were due to be filed on Monday, April 21, 1981.
2. His counsel completed preparation of the lengthy appendix on Thursday, April 17, and had copies of it xeroxed.
3. On Friday, April 18th, his counsel began writing the brief. Although he became sick Thursday afternoon--very sore throat, bad cough, sneezing attacks, extremely runny nose, headaches and occasional wooziness--and remains sick as of this date, he continued to work on the brief throughout the weekend and all day Monday, April 20th.

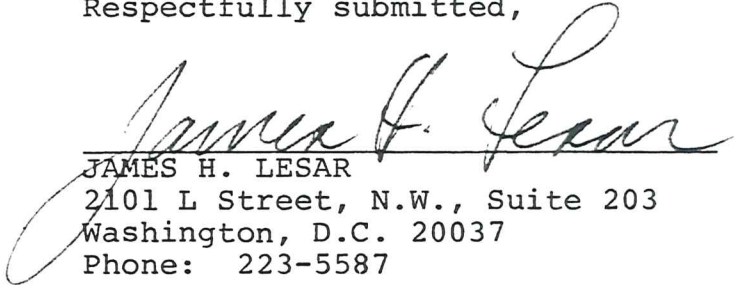
4. As of 4:30 p.m., Monday, April 20th, when Ms. Patricia Kenney, counsel for the General Services Administration, returned his call, appellant's counsel still thought he would be able to complete his brief before midnight, April 20th. During his conversation with Ms. Kenney, she stated to appellant's counsel that GSA would not object to a request for a one-day extension of time.

5. Counsel for appellant continued working at his office until 8:45 p.m. About 7:30 p.m. he learned that his client was being rushed to Georgetown University Hospital by ambulance from Frederick, Maryland. After leaving his office shortly before 9:00 p.m., appellant's counsel went home, picked up his car, then drove to the Georgetown University Hospital, where he remained with Mr. Weisberg until he underwent surgery shortly before midnight.

6. As a result of these circumstances, appellant's counsel was unable to complete his brief until late afternoon, April 21st.

For the foregoing reasons, appellant requests that his motion for leave to file his brief and appendix be granted.

Respectfully submitted,

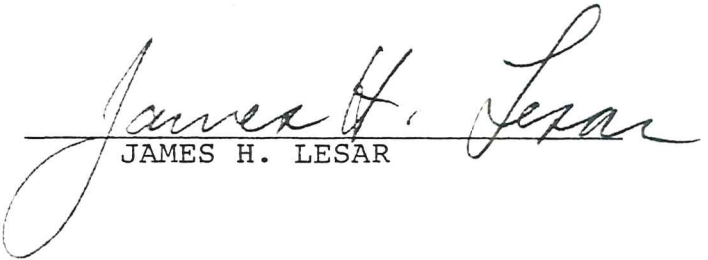


JAMES H. LESAR
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Phone: 223-5587

Counsel for Appellant

CERTIFICATE OF SERVICE

I hereby certify that I have this 22nd day of April, 1981, hand-delivered a copy of the foregoing Appellant's Motion for Leave to File Brief and Appendix, Time Having Expired to the office of Ms. Patricia Kenney, 2804 United States Courthouse, Washington, D.C. 20001.


JAMES H. LESAR

1-8 APR
4 APR 1981

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MOTION GRANTED
George A. Fisher
First Deputy Clerk
1541