UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

MARK A. ALLEN,

Plaintiff, v. DEPARTMENT OF DEFENSE, et al.,

Civil Action No. 81-2543

Defendants.

DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME AND POINTS AND AUTHORITIES IN SUPPORT THEREOF

Defendants' dispositive motion is at present due to be filed in this case on June 15, 1982, with plaintiff's response due July 9 and defendants' reply to plaintiff's response due July 16. Amicus has until June 22 to file, and oral argument is scheduled for July 23.

Defendants are still encountering difficulty in ensuring that the sensitive agency interests at issue in this case are both properly presented to the Court and consistent with the legal positions of the defendants in Allen v. FBI, Civil Action No. 81-1206 (D.D.C.). These matters must be resolved by Department of Justice officials before defendants' brief can be filed.

Accordingly, after discussion among all counsel involved, defendants hereby move for an enlargement of time until June 25, 1982 to file their dispositive motion, until July 2 for amicus to file its brief, until July 19 for plaintiff to file a response to defendants' motion and until July 26 for defendants to reply to that response. Defendants further move that oral argument be rescheduled for August 27, 1982.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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	Plaintiff,
	V.
DEPARTMENI et al.,	DEFENSE,

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MARK A

Civil Action No. 81-2543

Defendants.

ORDER

Upon consideration of defendants' motion for enlargement of time in which to file their dispositive motion, there being no objection from plaintiff or amicus it is, by the Court, this ____ day of June, 1982:

ORDERED that the motion be granted; and it is further ORDERED that the defendants shall file a dispositive motion in this case no later than June 25, 1982; and it is further

ORDERED that Amicus Clerk of the U.S. House of Representatives file its brief no later than July 2, 1982; and it is further

ORDERED that the plaintiff shall file a response to the defendants' motion for summary judgment no later than July 19, 1982; and it is further

ORDERED that the defendants shall file their reply to plaintiff's response no later than July 26, 1982; and it is further ORDERED that oral argument on defendants' dispositive motion will be held on August 27 at 10:30 a.m.

UNITED STATES DISTRICT JUDGE

Counsel for plaintiff and for <u>amicus</u> have authorized counsel for the defendants to state they have no objection to and are in agreement with this proposed enlargement of time.

Respectfully submitted,

J. PAUL McGRATH Assistant Attorney General

STANLEY S. HARRIS United States Attorney

SEH Jarmy VINCENT M. GARVEY STEPHEN E. HART

Attorneys, Department of Justice 10th & Pennsylvania Avenue, N.W. Washington, D. C. 20530 Telephone: (202) 633-3313

Attorneys for Defendants DOD and CIA

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of June, 1982, I have served Defendants' Motion for Enlargement of Time and Points and Authorities in Support Thereof and proposed Order by mailing copies, first-class mail, postage prepaid, to:

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

Attorney for Plaintiff

Stanley Brand, Esq. General Counsel to the Clerk United States House of Representatives Washington, D. C. 20515

Attorney for Amicus

PHEN E.