

was filed on August 25, 1982, but the case was delayed for several months, first, by the failure of the court reporter to time file the trial transcript with the District Court, then by the District Court's failure to file the transcript with the Eleventh Circuit despite several inquiries by the Court of Appeals. Appellant's counsel had planned to work on the Eleventh Circuit appeal prior to working on this appeal. However, the record in the instant appeal came up much faster than was the custom in the past, and this Court shortened the requested extension of time in this case by two weeks, so the undersigned counsel reversed his priorities, determined that he would work on this case first and seek an extension of time in the Eleventh Circuit.


3. Unfortunately, the undersigned counsel has little control over the timing or priorities of his work load. For example, on Thursday morning, March 25th, he appeared in U.S. District Court for what he thought would be a routine hearing lasting 20 or 30 minutes at most. Instead, the court in effect ordered the parties to negotiate a settlement to the case. As a result, counsel did not get back to his office until 4:30 p.m., having gone without lunch, and his whole day was effectively shot. Similarly, on Monday, March 29th, he appeared in Superior Court for what should have been a ten to fifteen minute argument on two pending motions in a case in which his client had been awarded summary judgment. Instead, after three hours of waiting, the case was bucked to another judge on another day, when counsel may

once again be required to spend the entire afternoon waiting.

4. Because of unanticipated work/time demands such as those alluded to in the preceding paragraph, the undersigned counsel has not yet been able to commence work on this appeal. The earliest he can begin work on the appeal is the afternoon of March 31st, the date on which the brief is currently due.

5. The undersigned counsel believes that the requested six-day extension is sufficient, even though it includes the weekend, and that he will not need to request any further extension of time.

Respectfully submitted,




JAMES H. LESAR
1000 Wilson Blvd., Suite 900
Arlington, Va. 22209
Phone: 276-0404

Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby certify that I have this 31st day of March, 1982, mailed a copy of the foregoing Motion for Extension of Time Within Which to File Brief for Appellant to Mr. William G. Cole, Civil Division, U.S. Department of Justice, Washington, D.C. 20530.



JAMES H. LESAR