

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

OCT 31 1983

HAROLD WEISBERG,  
Appellant/Cross-Appellee,  
v.  
U.S. DEPARTMENT OF JUSTICE,  
Appellee/Cross-Appellant.)

GEORGE A. FISHER  
CLERK

Nos. 82-1229, 83-1722,  
83-1722 and 83-1764

MOTION TO WAIVE LOCAL RULE 8(h)

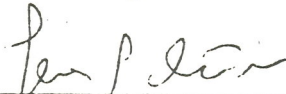
Pursuant to Rule 8(h) of the Rules of this Court, appellee/  
cross-appellant Department of Justice hereby moves the Court to  
waive the ten day requirement for motions for extension of time.  
In support of this motion, the Department of Justice states the  
following:

1. Leonard Schaitman, the Department of Justice attorney  
reviewing the Department's brief, was called away from this task  
to deal with an urgent case, Larry Flynt, et al. v. Caspar Wein-  
berger, et al., Civil Action No. 83-3191 (D.D.C.), which arose  
unexpectedly on Thursday, October 27, 1983, the day before the  
due date of this brief.

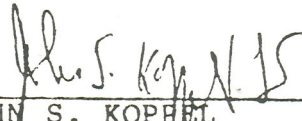
2. We have informed opposing counsel of this motion, and  
he has authorized us to state that he does not object to it.

For the foregoing reasons, the Department requests that  
Local Rule 8(h) be waived.

Respectfully submitted,

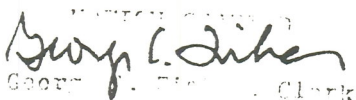


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U.S. Department of Justice  
Washington, D.C. 20530

  
George A. Fisher, Clerk

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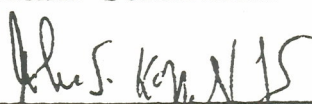
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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of October, 1983, I served the foregoing Motion To Waive Local Rule 8(h) upon counsel for Appellant/Cross-Appellee by causing a copy to be mailed, postage prepaid, to:

James H. Lesar, Esquire  
1000 Wilson Boulevard  
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Arlington, VA 22209

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