JW, PH, HR, 9KS

1/22/72

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HW

FROM THE OFFICES OF

FENSTERWALD & OHLHAUSEN
LAW OFFICES
905 SIXTEENTH STREET, N. W.
WASHINGTON, D. C. 20006

TELEPHONE (202) 347-3919

Harold

How did you get so popular with the Courts?

Bud

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 71-1026

September Term, 1971

Civil Action 2301-70

Harold Weisberg,

Appellant

v.

U. S. Department of Justice

United States Court of Appeals
FILED JAN 19 1972

Before: Bazelon, Chief Judge

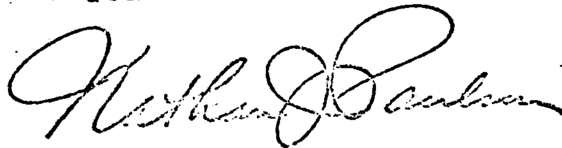
O R D E R

It is ORDERED, *sua sponte*, pursuant to Rule 11 of the General Rules of this Court that the Clerk is directed to place this case on the summary calendar.

Counsels' attention is directed to the provisions of Rule 12 of the General Rules of this Court with respect to the matter of the number of counsel who may argue and the time allotted for argument in summary calendar cases.

Per Curiam

For the Court:



Nathan J. Paulson
Clerk

(b) The court may on motion or sua sponte advance the date for the hearing of any case, motion, or petition, and may allow the filing of typewritten, mimeographed or xerox-type briefs, in lieu of printed briefs, in cases advanced for hearing. (Added July 1, 1968)

(c) When a case has been set for hearing, it may not be continued by stipulation of the parties or their counsel but only by an order of the court on a motion promptly filed and for good cause shown. (Added July 1, 1968)

(d) Whenever the court, sua sponte or on suggestion of a party, concludes that a case is of such character as not to justify extended oral argument, the case may be placed on the summary calendar. (Added July 1, 1968)

No separate summary calendar will be maintained. Cases will be placed on the summary calendar by the clerk, pursuant to directions from the court. Such cases may or may not be heard on days set for oral argument of cases not on the summary calendar. (Added July 1, 1968)

(e) Whenever the court, sua sponte or on suggestion of a party, concludes that a case is of such a character as not to justify oral argument, it may, after causing notice to be given by the Clerk to the parties of that determination, proceed to dispose of the case without such argument.

RULE 12 (Added July 1, 1968)

ORAL ARGUMENT (Added July 1, 1968)

(a) NUMBER OF COUNSEL. Not more than two counsel shall be heard for each side in the argument of the case, except by special leave of the court, upon sufficient reason shown. (Added July 1, 1968)

Not more than one counsel shall be heard for each side in cases placed on the summary calendar. (Added July 1, 1968)

(b) TIME ALLOWED FOR ARGUMENT. Counsel in all cases shedueld for argument on the merits shall be allotted 30 minutes to a side, except that only 15 minutes to a side shall be allotted to cases placed on the summary calendar and to motions scheduled for argument. A motion or request pursuant to Rule 34(b), Federal Rules of Appellate Procedure, for the allowance of additional time shall be filed or made not later than 10 days after appellee's brief has been filed. (Added July 1, 1968)

Where two or more cases are consolidated they shall be considered as one case for the allotment of time for argument. (Added July 1, 1968)

(c) APPORTIONMENT OF TIME. Counsel for the parties, including counsel for any intervenor, on each side may agree on the apportionment of the side's time; otherwise the court will apportion it. Counsel for an intervenor ordinarily shall be permitted to argue only to the extent that counsel for the party on whose side he intervenes is willing to share his allotted time. If the apportionment is agreed upon, counsel who opens the argument on his side shall announce the apportionment. The time so apportioned to each party shall not be exceeded unless the court permits, in which event the time apportioned to the other parties on that side will not be reduced. (Added July 1, 1968)

(d) FAILURE TO FILE BRIEF. A party who fails to file a brief shall not be heard at the time or oral argument except by permission of the court. (Added July 1, 1968)

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