

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

HAROLD WEISBERG,

Appellant

v.

U.S. DEPARTMENT OF JUSTICE,

Appellee

No. 71-1026

MOTION FOR EXTENSION OF TIME IN WHICH  
TO FILE PETITION FOR REHEARING AND  
SUGGESTION FOR REHEARING EN BANC

The United States Department of Justice, appellee, respectfully moves this Court for a two-week extension of time, to and including March 28, 1973, in which to file its Petition for Rehearing and Suggestion for Rehearing En Banc in the above-captioned case. Appellee's Petition for Rehearing currently is due for filing on March 14, 1973.

This case presents important questions concerning the scope of the investigatory files exception to the Freedom of Information Act, 5 U.S.C. 552(b)(7). Extra time is needed for consultation with the Federal Bureau of Investigation to determine the extent of the impact upon the Bureau of this Court's decision and to prepare a petition for rehearing if one is filed.

We therefore respectfully request that this Court grant a two-week extension of time in which to file a Petition for

Rehearing and Suggestion for Rehearing En Banc.

Respectfully submitted,

/s/ Walter H. Fleischer  
WALTER H. FLEISCHER, 759-3554

/s/ Michael H. Stein  
MICHAEL H. STEIN, 759-4795  
Attorney for the Appelles,  
Department of Justice,  
Washington, D. C. 20530.

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of March, 1973, I served the foregoing Motion for Extension of Time in which to File Petition for Rehearing and Suggestion for Rehearing En Banc upon counsel for the appellant by mailing a copy thereof, postage prepaid, to:

Bernard Fensterwald, Jr., Esquire  
905 - 16th Street, N.W.  
Washington, D. C. 20006

/s/ Michael H. Stein  
MICHAEL H. STEIN, 759-4795  
Attorney for the Appellee.