

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ROGER HALL, Et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	C. A. No. 04-0814 HHK/JMF
	:	
CENTRAL INTELLIGENCE AGENCY,	:	
	:	
Defendant	:	

PLAINTIFF’S UNOPPOSED MOTION FOR A FURTHER
EXTENSION OF TIME TO FILE MOTION FOR RECONSIDERATION

Come now plaintiffs Roger Hall and Studies Solutions Results, Inc. and move this Court for an extension of time, to and including June 3, 2008, within which to file their motion for reconsideration of Magistrate Facciola’s March 10, 2008 ruling on defendant’s motion to strike the Declaration of Roger Hall. In support of this motion, plaintiffs represent to the Court as follows:

1. Plaintiffs’ motion for reconsideration is presently due on May 21, 2008.

2. On the evening of May 19th until 3:30 a.m. on May 20th, counsel and his client Roger Hall worked on revising his Revised Declaration paragraph-by-paragraph, and when his client left to return home, counsel thought that they were very nearly done and that this task would be completed during the afternoon of May 20th, leaving that evening and May 21st to write the Motion for Reconsideration which it will accompany.

Unfortunately, after a couple of hours of work on the afternoon of May 20th, counsel and client were horrified to learn that somehow all the enormous amount of work had done by

the counsel and during the preceding three days had been wiped out. What remained in the draft of Revised Hall Declaration (2) was not the 103 kilobytes that counsel thought he had saved at about 3:00 a.m. on May 20th, but the 210 kilobytes that had been saved into Revised Hall Declaration three days earlier.

3. Some twenty years ago, when counsel's daughter was still in junior high school, she dubbed him the "low tech person." (Counsel subsequently got his revenge when the IBM Selectric II typewriter he had loaned her ran out of ribbon and she didn't know what to do. "Does the high tech person need a little help?" he inquired.)

4. Humor aside, this development was a real emotional jolt to counsel and his client, two aging men who had much overworked themselves over the previous several days, because it means they now have to spend a considerable amount of time re-doing what they had previously done. They spent about an hour trying various methods to recover a more recent draft of the declaration which did not incorporate the earlier much larger draft. Although several such files were found on the computer, they also failed to reflect the work that had recently been done. A phone call to a friend in Massachusetts with very considerable knowledge about computers failed to produce results.

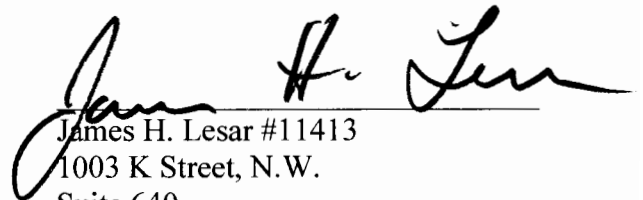
5. Plaintiff and his client are now confronted with schedules that present problems in quickly redoing their work on the draft declaration and counsel writing the brief. They will be able to work on May 21st, but after that there are problems. On visiting his physical therapist last Friday, May 16th, she became worried that a sore cramp in his right calf due to a cramp a few days before might have been triggered by deep vein thromboses or an imbalance in electrolytes and called his internist. The internist wanted

him to see her on Monday, May 19th, but because of the deadline due in this case (and a brief in another case due on the 19th, counsel said he could not do so. Now the appointment has been rescheduled for May 22, 2008, the day before his 68th birthday. After that he must begin working on a brief due on May 27, 2008 in Davis v. Dept. of Justice, D.C. Cir. No. 08-5024, and his client will be unavailable to several days.

6. According, plaintiffs seek an extension to June 3, 2008 to file the motion for reconsideration.

7. Counsel for defendanta has graciously advised that defendant does not object.

Respectfully submitted,



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Counsel for Plaintiffs Roger Hall
and SSRI, Inc.

May 8, 2008

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CENTRAL INTELLIGENCE AGENCY,	:	
	:	
Defendant	:	

ORDER

Upon considerations of the unopposed motion of plaintiffs Roger Hall and Studies Solutions Results, Inc. for a further extension of time to file a motion for reconsideration of Magistrate Judge Facciola's March 10, 2008 ruling on defendant's motion to strike the declaration of Roger Hall, and the entire record herein, it is by this Court this _____ day of May, 2008, hereby

ORDERED, that plaintiffs shall have until June 3, 2008, to file their motion for reconsideration.

UNITED STATES DISTRICT JUDGE