

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ROGER HALL, <i>et. al</i> ,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 04-814 (RCL)
)	
CENTRAL INTELLIGENCE AGENCY)	
)	
Defendant.)	
_____)	

CONSENT MOTION BY PLAINTIFFS ROGER HALL AND
STUDIES SOLUTIONS RESULTS, INC. FOR AN EXTENSION OF TIME
WITHIN WHICH TO FILE AN OPPOSITION TO DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT, AND FOR DEFENDANT TO FILE OPPOSITIONS
AND REPLIES TO PLAINTIFFS' CROSS-MOTIONS

Plaintiffs Roger Hall and Studies Solutions Results, Inc. (collectively “Hall”), move this Court, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and the equitable powers of this Court, for an Order, nunc pro tunc, granting Hall a three week extension of time, to and including February 17, 2022, within which to file their opposition to defendant's motion for summary judgment, and for Defendant to file oppositions and replies to the cross-motions for summary judgment filed by Plaintiffs Roger Hall and Studies Solutions Results, Inc. and Accuracy in Media, Inc. ("AIM").

Pursuant to Local Civil Rule 7(m), the parties have consulted and consent to the relief requested in this motion.

1. On January 25, 2022, Plaintiff AIM timely filed its opposition to defendants' motion for partial summary judgment, which had been timely filed by Defendant on December 19, 2021. Defendant's opposition and reply to AIM is presently due on February 8, 2022.

2. In its order setting the current briefing schedule, this Court stated that it wanted no further delays by any party absent a showing of "extraordinary" circumstances. The circumstances in this case go well beyond extraordinary circumstances.

3. Counsel for defendants, AUSA Thomas Duffey, advised that, as a matter of courtesy, defendant does not oppose plaintiffs' motion for a three-week extension of time, provided he gets a commensurate extension with respect to the two cross-motions filed by the Plaintiffs. James H. Lesar, counsel for plaintiff Hall, stated that he will extend courtesy to any reasonable request for an extension of time made by defendants. In light of this mutual agreement, to which AIM also consents, the parties propose the previous schedule be amended as follows:

Plaintiff Hall's combined Response
and Cross Motion for Summary Judgment: February 17, 2022

CIA's Opposition to Plaintiffs' Cross-Motions
and Replies in further support of
Summary Judgment: March 10, 2022

Plaintiffs' Replies in support of Cross Motion
for Summary Judgment: March 24, 2022

4. Since this Court issued its scheduling order, plaintiff's counsel has been unable to work on Hall's case for a multitude of reasons. Most directly related to this case is the fact that Attorney Lesar's part-time assistants have tested positive for COVID-19, and its variants. The same applies to attorneys and clients who have worked with him on this and another dozen pending FOIA cases that he is currently engaged in. This applies to both Malaysia Barber, and Ra'Vae Edwards. In addition, relatives have suffered comas in one case lasting from Thanksgiving to current day.

5. Hall needs an extension because of COVID-19 and its variants, client Angela Clemente's health issues, two part-time staff members who contracted Covid-19 variants, the need to purchase new computer printers, and attorney Lesar's own health problems and his need to meet deadlines in several other cases. Plaintiff's counsel is rapidly approaching his 82nd birthday and remains in relatively good health.

6. The undersigned's counsel's weight is down to about 164 pounds lbs. He walks 5-to-10 miles a day, around the clock. This exercise is essential for him to be able to work effectively. He must also spend 3-to-4 hours a day applying various ointments to counter arthritic inflammation to his feet, hands, limbs, back, etc. This further complicates his ability to work. Plaintiff needs additional time to complete his briefing.

7. Particularly problematic is that plaintiff's counsel's vision is 20/800 and he is unable to read anything not printed in Arial Black at 16 or 18-point font size. His assistants and others working with him must read to him pleadings and emails. This takes an enormous amount of time.

CONCLUSION

For the reasons stated above, this court should grant plaintiff Hall's consent motion for a three week extension of time to and including February 17, 2022 and extend the time for Defendant to file its oppositions and replies.

Date: February 4, 2022.

Respectfully Submitted,

/s/

James H. Lesar #114413
930 Wayne Avenue, Unit 1111
Silver Spring, MD 20910
(301) 328-5920
jhlesar@gmail.com
Counsel for Plaintiffs
Roger Hall and Studies
Solutions Results, Inc.