

United States Court of Appeals FOR THE SECOND CIRCUIT

Each motion must be accompanied by a supporting affidavit.

96-7805

Do Not Remove

NOTICE OF MOTION

state type of motion

for extension of time; admission pro hac vice

SASSOWER V. MANGANO

Use short title

MOTION BY: (Name, address and tel. no. of law firm and of attorney in charge of case)

N.Y.S. Dep't of Law by Jay T. Weinstein, AAG
120 Broadway, 24th Floor
New York, New York 10271
(212) 416-8573

OPPOSING COUNSEL: (Name, address and tel. no. of law firm and of attorney in charge of case)

Has consent of opposing counsel:

A. been sought?

Yes No

B. been obtained?

Yes No

Has service been effected?

Yes No

Is oral argument desired?

Yes No

(Substantive motions only)

Requested return date:

(See Second Circuit Rule 27(b))

Has argument date of appeal been set:

A. by scheduling order?

Yes No

B. by firm date of argument notice?

Yes No

C. If Yes, enter date:

Judge or agency whose order is being appealed:

John E. Sprizzo

Brief statement of the relief requested:

Two-week extension of time to file brief, and admission pro hac vice.

EMERGENCY MOTIONS, MOTIONS FOR STAYS & INJUNCTIONS PENDING APPEAL

Has request for relief been made below? Yes No

(See F.R.A.P. Rule 8)

Would expedited appeal eliminate need for this motion? Yes No

If No, explain why not:

Will the parties agree to maintain the status quo until the motion is heard? Yes No

Complete Page 2 of This Form

By: (Signature of attorney)

Appearing for: (Name of party)

Appellant or Petitioner:

Plaintiff Defendant

Appellee or Respondent:

Plaintiff Defendant

Jay T. Weinstein
Signed name must be printed beneath

Defendants-Appellees

Date

Jay T. Weinstein

3/4/97

Kindly leave this space blank

ORDER

IT IS HEREBY ORDERED that the motion be and it hereby is granted denied

EX "B"

Previous requests for similar relief and disposition:

On February 12, 1997, I requested a three-week extension of time. The request was denied on February 25, 1997.

Statement of the issue(s) presented by this motion:

Admission pro hac vice and two week extension of time to file brief.

Brief statement of the facts (with page references to the moving papers):

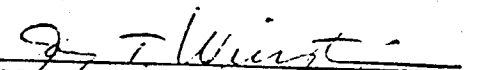
see annexed affidavit

Summary of the argument (with page references to the moving papers):

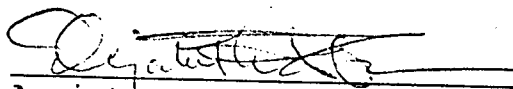
6. In addition, an extension of time was necessary to file defendants' brief because: (1) Appellant's brief is seventy-six pages long, with numerous references to a nine-hundred page record, and I required additional time to review plaintiff's brief, the authorities she cites, and the pages of the record she cites to; (2) The amount of time necessary to devote to the task of drafting a brief of this size and complexity exceeded the thirty days I was given to write it, considering the time I required to devote to other cases during the same period; (3) Additional time was also required because of this office's internal review process. This office has a review process that is time-consuming. It involves a review by my supervisor and by two other attorneys from the Solicitor General's office.

WHEREFORE, I respectfully request that my motion to be admitted pro hac vice and two-week extension of time to file appellee's brief be granted.

Dated: New York, New York
March 4, 1997


JAY T. WEINSTEIN
Assistant Attorney General

Sworn to before me this
4th day of March 1997


Assistant Attorney General
of the State of New York