

United States Court of Appeals  
FOR THE SECOND CIRCUIT

Each motion must be  
accompanied by a supporting  
affidavit.

SASSOWER V. MANGANO

96-7805

*Do. Loc. Number*

NOTICE OF MOTION

*state type of motion*

for extension of time; admission  
pro hac vice

*Use short title*

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

OPPOSING COUNSEL: (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

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

ORDER

Kindly leave this space blank

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

EX 3

**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

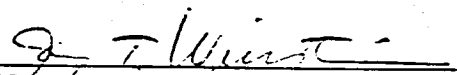
**Summary of the argument (with page references to the moving papers):**



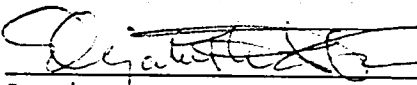
6. In addition, an extension of time was necessary to file defendants' brief because: (1) Appellant's brief is seventy-six pages long, with numerous references to a nine-hundred page record, and I required additional time to review plaintiff's brief, the authorities she cites, and the pages of the record 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  
4<sup>th</sup> day of March 1997

  
\_\_\_\_\_  
Assistant Attorney General  
of the State of New York

STATE OF NEW YORK     )  
                                   :   SS.:  
COUNTY OF NEW YORK   )

JAY T. WEINSTEIN, being duly sworn, deposes and says:

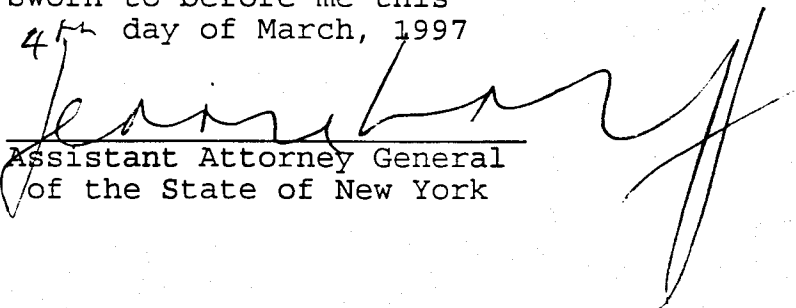
That he is an Assistant Attorney General in the office of DENNIS C. VACCO, the Attorney General of the State of New York, Attorney for Defendants-Appellees herein. On the 4th day of March, 1997, he served the annexed motion for an extension of time and to appear pro hac vice, by Express Mail, upon the following named persons:

DORIS L. SASSOWER  
283 Soundview Avenue  
White Plains, New York 10606

Plaintiff pro se in the within entitled action by depositing a true and correct copy thereof, properly enclosed in a post-paid wrapper, in a post-office box regularly maintained by the United States Postal Service at 120 Broadway, New York, New York 10271 directed to said plaintiff pro se at the address within the State designated by her for that purpose.

  
\_\_\_\_\_  
JAY T. WEINSTEIN

Sworn to before me this  
4<sup>th</sup> day of March, 1997

  
\_\_\_\_\_  
Assistant Attorney General  
of the State of New York