UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES <u>ex rel.</u>
ERVIN AND ASSOCIATES,

Plaintiff,

v.

Civil Action No. 96-1258 CRR

PILEO UNDER SEAL

THE HAMILTON SECURITIES GROUP,

INC., et al.,

Defendants.

EII ED

AUS 16 1996

Clerk, U.S. District Court

MOTION FOR EXTENSION OF TIME WITHIN WHICH TO MAKE INTERVENTION DECISION AND MAINTAIN SEAL ON THIS CASE

Pursuant to 31 U.S.C. § 3730(b)(3), the United States respectfully moves for a 90-day extension of time, from August 19, 1996, through and including November 18, 1996, within which to make its decision whether to intervene in this <u>qui</u> tam case and during which this case shall be maintained under seal. The additional time is needed to continue the investigation into the relator's allegations that defendants conspired with officials at the Department of Housing and Urban Development (HUD) to circumvent existing contract restrictions and regulations by directing contracts for sale of HUD held assets to defendants. Counsel for relator Ervin has been informed of and consents to this request.

The United States also respectfully requests that this case remain under seal during the extended period, consistent with the False Claims Act's \underline{qui} \underline{tam} provisions. See 31 U.S.C. sections 3730(b)(2),(3).

91/22

Pursuant to Local Rule 108, a Memorandum of Points and Authorities in support of this motion and proposed Order are filed herewith.

Respectfully submitted,

ERIC H. HOLDER, D.C. Bar # 303115

United States Attorney

BARBARA VAN GELDER, D.C. Bar # 265603

Assistant United States Attorney