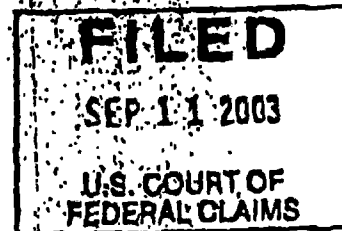


In the United States Court of Federal Claims

Nos. 00-274C, 00-292C, 01-434C
(Consolidated)
(Filed: September 11, 2003)



**ELIZABETH DUTTON SWEET and
FREDERICK H. GREIN, JR., in their
capacities as Executors under the will
of William H. Sweet, and**

**MASSACHUSETTS INSTITUTE
OF TECHNOLOGY, and**

**MASSACHUSETTS GENERAL
HOSPITAL,**

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

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U.S. COURT OF
FEDERAL CLAIMS
CIVIL DIVISION/041

ORDER

Based on the telephone conference held on September 10, 2003, the plaintiffs shall file briefs to resolve the outstanding issue of indemnification costs, to which the court held the plaintiffs would be entitled under the Price-Anderson Act. Specifically, the following shall be addressed:

- 1) Whether and in what amount plaintiffs are entitled to indemnification of legal fees from the government.
- 2) How the \$250,000.00 deductible should be applied to the government's obligation to the plaintiffs.

The plaintiffs' briefs shall be filed by Monday, October 20, 2003, and the government may shall by Wednesday, November 19, 2003.

In the government's response brief, it is authorized to address the issue of whether the reimbursement of plaintiffs' costs and attorneys' fees by insurance companies or other sources affects the government's obligations to the plaintiffs.

Furthermore, by Tuesday, September 30, 2003, plaintiffs shall submit information to the government regarding the amount, if any, plaintiffs were reimbursed by insurance or other sources for plaintiffs legal fees and other costs.

IT IS SO ORDERED.



NANCY B. FIRESTONE
Judge