

**RAS 12042**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 07/27/06**

ATOMIC SAFETY AND LICENSING BOARD

**SERVED 07/27/06**

Before Administrative Judges:

Michael C. Farrar, Chairman

E. Roy Hawkins

Nicholas G. Trikouros

In the Matter of

DAVID GEISEN

Docket No. IA-05-052

ASLBP No. 06-845-01-EA

July 27, 2006

ORDER

(Calling for Status Report)

In a status teleconference held on June 8, 2006 to discuss various scheduling matters, the Board directed the parties, upon completing their initial review of their exchanged documents (Tr. at 139), to prepare to meet and to confer (Tr. at 134, 136, 139-41; cf. 10 C.F.R. § 2.323(b)) to propose (1) a process for resolving any "privilege" disputes (Tr. at 127-35), and (2) a schedule for the remaining phases of the discovery process (Tr. at 125-27, 140). All this was subject, of course, to the Commission's action on the NRC Staff's then-pending petition (Tr. at 119, 145-46) challenging the Board's denial (in LBP-06-13, May 19, 2006) of the Government's request to delay this proceeding pending the outcome of a related criminal case.

Yesterday, the Commission affirmed the Board's ruling that this case should not now be delayed (CLI-06-19, July 26, 2006). In keeping with that result, the parties are to FILE with the Board by Wednesday, August 2, a JOINT STATUS REPORT about (1) their progress on the matters referred to above, and (2) any other key developments (herein or in the criminal case).

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD  
*/RA/*

Rockville, Maryland  
July 27, 2006

By Michael C. Farrar, Chairman  
ADMINISTRATIVE JUDGE

Copies of this Order were sent this date by e-mail transmission to counsel for the parties.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

DAVID GEISEN

(Enforcement Action)

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Docket No. IA-05-052

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (CALLING FOR STATUS REPORT) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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[Original signed by R. L. Giitter]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 27<sup>th</sup> day of July 2006