

**RAS 12154**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 08/24/06**

ATOMIC SAFETY AND LICENSING BOARD  
Before Administrative Judges:  
Michael C. Farrar, Chairman  
E. Roy Hawkens  
Nicholas G. Trikouros

**SERVED 08/24/06**

In the Matter of

DALE L. MILLER

Docket No. IA-05-053

ASLBP No. 06-846-02-EA

August 24, 2006

ORDER

(Granting Motion to Amend Discovery Schedule)

The NRC Staff recently filed, on behalf of both parties to this enforcement proceeding, a joint motion to extend the targeted completion of discovery from September 15 to October 13. In support, the parties indicate that discovery has thus far proceeded generally on schedule and that, as a result thereof, both parties "have acquired information that they did not possess at the beginning of the proceeding" to the extent that they indeed now "believe that engaging in alternative dispute resolution (ADR) might be helpful."

The requested extension would allow the parties to defer completing discovery while invoking the ADR process. If ADR is successful, they would move to settle the case and dismiss the proceeding; if unsuccessful, they would resume and complete discovery herein.

In keeping with long-standing NRC policy, the Board wishes to encourage the parties' settlement efforts. Accordingly, the joint motion to extend the discovery completion date herein from September 15 to October 13 is hereby GRANTED.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

/RA/

By Michael C. Farrar, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
August 24, 2006

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 )  
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DALE L. MILLER ) Docket No. IA-05-053  
 )  
 )  
(Enforcement Action) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (GRANTING MOTION TO AMEND DISCOVERY SCHEDULE) 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 Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 24<sup>th</sup> day of August 2006