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July 26, 2007

File No. 09408-0043

**Via Hand Delivery**

United States District Court of Appeals  
Third Circuit  
ATTN: Ebony Fiddler  
601 Market Street, Room 21400  
Philadelphia, PA 19106-1790

**Re: State of New Jersey v. US Nuclear Regulatory Commission, et al.  
US Court of Appeals/Third Circuit  
Nos: 06-5140, 07-1559 and 07-1756 (Consolidated)**

Dear Ms. Fiddler:

Mr. William Bradley of your office brought to my attention a number of errors regarding the Brief that we filed on behalf of the Gloucester County Board of Chosen Freeholders.

First, please find enclosed my Notice of Appearance with accompanying Proof of Service in this matter. Kindly return "FILED" copy of this Notice with the courier today.

Second, at Mr. Bradley's direction, we have electronically re-filed the Brief to include all three docket numbers for this consolidated Appeal. We hereby authorize you to make the same changes to the hard copy of this Brief, which was originally filed with the reference to only the one oldest docket number.

Third and finally, we are hereby notifying you that the Gloucester County Board of Chosen Freeholders is relying on the Statement of the Case presented by the State of New Jersey in its original Brief.

We apologize for any inconvenience. Please feel free to contact me with any questions or concerns.

Respectfully submitted,

  
JOSEPH J. McGOVERN

JJM:nwm

Enclosures

cc: All parties listed on Proof of Service (with enclosures)

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 06-5140, 07-1559 and 07-1756 (Consolidated)

State of New Jersey vs. U.S. Nuclear Regulatory Commission, et al.

The Clerk will enter my appearance as Counsel of Record for (please list names of all parties represented, using additional sheet(s) if needed):

Gloucester County Board of Chosen Freeholders

who IN THIS COURT is (please check only one):

\_\_\_\_\_ Petitioner(s)      \_\_\_\_\_ Appellant(s)      XX Intervenor (s)  
\_\_\_\_\_ Respondent(s)      \_\_\_\_\_ Appellee(s)      \_\_\_\_\_ Amicus Curiae

(Type or Print) Name Joseph J. McGovern, Esquire  
☒ Mr.      ☐ Ms.      ☐ Mrs.      ☐ Miss

Firm Parker McCay P.A.

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PLEASE TYPE E-Mail Address jmcgovern@parkermccay.com

SIGNATURE OF COUNSEL: 

ONLY COUNSEL OF RECORD SHALL ENTER AN APPEARANCE AND ONLY THAT ATTORNEY WILL BE THE ONE NOTIFIED OF THE COURT'S ACTION IN THIS CASE. OTHER ATTORNEYS WHO DESIRE NOTIFICATION SHOULD MAKE APPROPRIATE ARRANGEMENTS WITH COUNSEL OF RECORD.

ONLY ATTORNEYS WHO ARE MEMBERS OF THE BAR OF THE COURT OF APPEALS FOR THE THIRD CIRCUIT OR WHO HAVE SUBMITTED A PROPERLY COMPLETED APPLICATION FOR ADMISSION TO THIS COURT'S BAR MAY FILE AN APPEARANCE FORM. (BAR ADMISSION IS WAIVED FOR FEDERAL ATTORNEYS.)

**IT IS IMPORTANT THAT ALL REQUESTED INFORMATION BE PROVIDED AND THAT COUNSEL SIGN THE FORM IN THE APPROPRIATE AREA.**

**UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT**

**STATE OF NEW JERSEY**

**Appellants,**

**v.**

**UNITED STATES NUCLEAR  
REGULATORY COMMISSION  
And UNITED STATES OF  
AMERICA**

**Appellees.**

**Nos. 06-5140, 07-1559 and  
07-1756 (Consolidated)**

**PROOF OF SERVICE**

I, Joseph H. McGovern, of full age, hereby certify that:

1. I am an attorney with the Law Firm of Parker McCay P.A., and am the attorney assigned with the handling of this matter on behalf of Intervenor, The Gloucester County Board of Chosen Freeholders.

2. On July 26, 2007, I caused to have forwarded copies of the Notice of Appearance on behalf of Intervenor, The Gloucester County Board of Chosen Freeholders and accompanying Proof of Mailing, in the within action as follows:

**Original and Three (3) Copies**

Office of the Clerk, Marcia M. Waldron

ATTN: Ebony Fiddler

**Via Hand Delivery**

United States Court of Appeals for the Third Circuit

21400 United States Court House

601 Market Street

Philadelphia, PA 19106-1790

**Two (2) Copies:**

Kenneth W. Elwell, Esquire

**Via Regular Mail**

Senior Deputy Attorney General

Office of the Attorney General

Department of Law and Public Safety-New Jersey Division of Law

Richard J. Hughes Justice Complex

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**Attorney for Appellant State of New Jersey**

Kathryn E. Kovacs, Esquire

**Via Regular Mail**

United States Department of Justice

Environment and Natural Resources Division

Appellate Section

P.O. Box 23795 – L'Enfant Plaza Station

Washington, D.C. 20026

**Attorney for Appellee United States of America**

Charles E. Mullins, Esquire

**Via Regular Mail**

Office of the General Counsel,

U.S. Nuclear Regulatory Commission

11555 Rockville Pike

Rockville, MD 20852

**Attorney for Appellee United States Nuclear Regulatory  
Commission**

Matias F. Travieso-Diaz, Esquire

**Via Regular Mail**

PILLSBURY WINTHROP SHAW PITMAN LLP

2300 N Street NW

Washington, DC 20037

**Attorney for Intervenor ShieldAlloy Metallurgical Corporation**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, then I am subject to punishment.

Dated: 7/26/07

  
\_\_\_\_\_  
JOSEPH J. MCGOVERN