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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

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Before Administrative Judges
Marshall E. Miller, Chairman
Glenn O. Bright
Elizabeth B. Johnson

OFFICE OF SECRETARY
DOCKETING & SERVICE
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In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Generating)
Plan, Unit 1))

Docket No. 50-322-OL-4
(Low Power)

April 13, 1984

MOTION TO STAY
HEARING ON SHOW CAUSE ORDER

On April 13, 1984, in an Order signed by Marshall E. Miller, Administrative Judge and Chairman, Atomic Safety and Licensing Board, the Board ordered and directed Douglas J. Scheidt, Esq. to show cause why disciplinary action should not be imposed upon him on the grounds that in letters to other counsel and to the NRC staff, Mr. Scheidt used the word "illegal" in referring to an April 6, 1984 Memorandum and Order of the Board establishing an expedited schedule in Docket No. 50-322-01-4.

The Order states that:

"Baseless accusations by counsel of 'illegal' conduct to a Board should not be tolerated in open court, and are even more serious when they appear deliberately in two different published documents in this proceeding."

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The Order refers to the power of an NRC Licensing Board to "reprimand, censure or suspend" from a proceeding lawyers (among others) who are guilty of "disorderly, disruptive or contemptuous conduct."

The Board's unprecedented, unwarranted and illegal Order threatens serious harm to the reputation and professional career of Mr. Scheidt. Mr. Scheidt has therefore retained personal counsel, Milton V. Freeman, Esq., to represent him in any proceedings or actions arising from the Board's Order. On its face, the Board's Order is so clearly inappropriate that no show cause hearing is necessary or justified, and a Motion to Quash the Order will shortly be filed by counsel for Mr. Scheidt. However, Mr. Freeman will be out of the city on Wednesday, April 18, 1984, the scheduled hearing date, and will be unavailable until April 25, 1984.

Accordingly, pursuant to 10 C.F.R. § 2.713(c)(2) of the Nuclear Regulatory Commission's Rules, a stay of the show cause hearing scheduled for Wednesday, April 18, 1984 is requested in order that Mr. Scheidt may be adequately represented by his counsel, Milton V. Freeman, Esq., and have an opportunity to file appropriate motions.

Respectfully submitted,

Milton V. Freeman (Bm)
Milton V. Freeman

ARNOLD & PORTER
1200 New Hampshire Avenue, N.W.
Washington, D.C. 20036
(202) 872-6896

Counsel for Douglas J. Scheidt

Dated: April 16, 1984

CERTIFICATE OF SERVICE

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Since the Board's Order of April 13, 1984 was
apparently served upon all parties to this proceeding,
I hereby certify that copies of the attached "Motion to
Stay Hearing on Show Cause Order" have also been served
upon the following persons by deposit in the U.S. Mail,
first class, postage prepaid, this 16th day of April 1984,
unless service by other means is indicated:

By Hand Delivery to:

Judge Marshall E. Miller
Chairman
Judge Glenn O. Bright
Eleanor L. Frucci, Esq.

At the following Address:

Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
4350 East-West Highway, 4th Floor
Bethesda, Maryland 20814

By Hand Delivery to:

Guy H. Cunningham, III
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
7735 Old Georgetown Road
Ninth Floor
Bethesda, Maryland

By U.S. Mail to:

Judge Elizabeth B. Johnson
Oak Ridge Nat'l Laboratory
P.O. Box X; Building 3500
Oak Ridge, Tennessee 37830

Edward M. Barrett, Esquire
Long Island Lighting Co.
250 Old Country Road
Mineola, New York 11501

Honorable Peter Cohalan
Suffolk County Executive
County Executive/
Legislative Building
Veteran's Memorial Highway
Hauppauge, New York 11788

Fabian Palomino, Esquire
Special Counsel to the Governor
Executive Chamber, Room 229
State Capitol
Albany, New York 12224

By U.S. Mail to:

Alan R. Dynner, Esq.
Herbert H. Brown, Esq.
Lawrence Coe Lanpher, Esq.
Kirkpatrick, Lockart, Hill,
Christopher & Phillips
1900 M Street, N.W.
Washington, D.C. 20036

Martin Bradley Ashare, Esq.
Suffolk County Attorney
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, New York 11788

Mr. Martin Suubert
% Cong. Willaim Carney
1113 Longworth H.O.B.
Washington, D.C. 20515

James Dougherty, Esquire
3045 Porter Street, N.W.
Washington, D.C. 20008

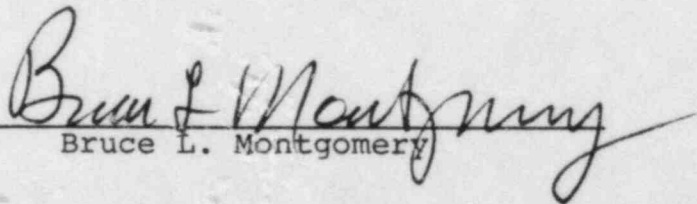
W. Taylor Reveley, III, Esq.
Anthony F. Earley, Esq.
Robert M. Rolfe, Esq.
Hunton and Williams
700 East Main Street
Richmond, Virginia 23212

Jay Dunkleberger, Esq.
New York State Energy Off.
Agency Building 2
Empire State Plaza
Albany, New York 12223

Mr. Brian McCaffrey
Long Island Lighting Company
175 East Old Country Road
Hicksville, New York 11801

Docketing & Service Branch (3)
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

However, since this matter is entirely collateral to
Docket No. 50-322-OL-4 and personal to Douglas J. Scheidt,
Esq. in future filings relating to it, Mr. Scheidt intends
only to serve those parties directly involved.


Bruce L. Montgomery

Dated: April 16, 1984