

April 30, 2007

Administrative Judge E. Roy Hawkens, Chair  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, DC 20555-0001

Administrative Judge Nicholas G. Trikouros  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, DC 20555-0001

Administrative Judge Michael C. Farrar  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, DC 20555-0001

In the Matter of  
David Geisen  
Docket No. IA-05-052; ASLBP No. 06-845-01-EA

Dear Administrative Judges:

On April 20, 2007, following an oral hearing, Judge Katz, United States District Court for the Northern District of Ohio, granted a continuance in the criminal proceeding against Mr. Siemaszko in order to provide the defense time to evaluate a report prepared by Exponent Failure Analysis Association and Alltran Solutions Corporation (Exponent) for FENOC in support of an insurance claim relating to the Davis Besse wastage cavity (ADAMS accession no. ML070860211). The District Court rescheduled Mr. Siemaszko's trial date for September 10, 2007, and Mr. Geisen and Mr. Cook's trial date for October 9, 2007.

Additionally, the District Court directed the government to inform the Court, by May 4, 2007, whether the NRC intends to undertake any further studies, analyses or hearings on the Exponent report.

Respectfully submitted,

***/RA by Lisa B. Clark/***

Lisa B. Clark  
Counsel for the NRC Staff

cc: Office of the Secretary  
ATTN: Rulemaking and  
Adjudications Staff  
Charles F.B. McAleer, Jr.

Adjudicatory File, Atomic Safety  
and Licensing Board  
Office of Commission  
Appellate Adjudication

Margaret Parish  
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