

RAS 6894

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October 2, 2003

Administrative Judge Michael C. Farrar
Presiding Officer
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

DOCKETED
USNRC

October 9, 2003 (2:19PM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

RE: CFC Logistics, Inc.
Docket No. 30-36239-ML
ASLBP No. 03-814-01-ML

Dear Judge Farrar:

As you know, I have written to CFC's NRC counsel regarding documents in my possession which are subject to Confidentiality Order from Bucks County Common Pleas Court. CFC's NRC counsel has not responded. CFC counsel in the State Court stated that the matter should be up to the NRC. (Letter enclosed with hard copy.)

The documents are material, as I stated in my prior correspondence.

I have contacted Bucks County Court of Common Pleas. The Judge, through his secretary, directed that I attempt to resolve the matter without his intervention, i.e., that it was up to the Judge in the NRC, i.e., yourself, in the first instance.

Accordingly, in accordance with your authority, I request that you authorize me to use the documents.

This matter is urgent, and I respectfully request your urgent attention. I myself am starting trial on October 6 (picking a jury

on October 3), and therefore request that a call take place on
October 3, P.M.

Respectfully,



Robert J. Sugarman

RJS:saj

cc: Stephen Lewis, Esquire
Anthony Thompson, Esquire
Diane Curran, Esquire

9:27

Ken Baker (215) 208-~~1123~~
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PLEASE REPLY TO:
P.O. Box 20
Lansdale, PA 19446-0020

October 1, 2003

Via Fax & Reg. Mail

Honorable Kenneth G. Biehn
BUCKS COUNTY COURTHOUSE
Main and Court Streets
Doylestown, PA 18901

Re: CFC Logistics, Inc. v. Milford Township, et al.
Milford Township v. CFC

Dear Judge Biehn:

This letter is in response to the letter dated September 30, 2003 from Robert J. Sugarman. It appears that Mr. Sugarman faxed this letter to your office on September 30, 2003. However, it was sent to my office via regular mail. It was received by me upon opening the mail today at 1:00 p.m.

CFC objects to the dissemination of the documents referred to in Mr. Sugarman's letter, which are protected under Your Honor's confidentiality ruling.

CFC believes the decision as to the use of these documents relative to the NRC proceedings is properly before the Administrative Law Judge. In fact, I am forwarding

Honorable Kenneth G. Biehn
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herewith a copy of a letter which Mr. Sugarman also sent to CFC's counsel in Washington, DC, wherein he informed Judge Farrar of this issue and his intent to bring this matter before Judge Farrar.

Respectfully yours,

KERNS, PEARLSTINE, ONORATO
& FATH, LLP

David C. Onorato

DCO/lmr

Enclosure

Via Fax & Reg. Mail to:

cc: Terry Clemens, Esquire
Wallace Bareman, Esquire
Robert Sugarman, Esquire
Anthony J. Thomas, Esquire