

JONATHAN M. BLOCK  
ATTORNEY

AT

LAW  
94 Main Street  
P.O. Box 566  
Putney, VT. 05346-0566  
802-387-2646 (vox)  
-2667 (fax)  
[jonb@sover.net](mailto:jonb@sover.net)

31 January 2004

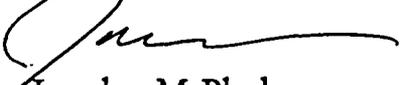
Steven Crockett, Esq.  
Office of General Counsel  
United States Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

RE: *Citizens Awareness Network, Inc., Petitioner,*  
*u*  
*United States of America and United States Nuclear Regulatory Commission, Respondents*  
No. 04-1145

Dear Steven:

Enclosed please find copies of recent filings with the Court in the above proceeding: a cover letter to the Clerk, notice of appearance, docketing statement, corporate disclosure, and a certification of service upon your office and the respondents of copies these documents.

Respectfully,



Jonathan M. Block  
Counsel for Petitioner

Enc./as described herein above

JONATHAN M. BLOCK  
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January 31, 2004

Hon. Richard Cushing Donovan, Clerk of Court  
United States Court of Appeals for the First Circuit  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 2500  
Boston, MA 02210

RE: *Citizens Awareness Network, Inc. v. United States; United States Nuclear Regulatory Commission*  
No. 04-1145

Dear Mr. Donovan:

Enclosed for filing with the Court, please find the original and three copies of the notice of appearance form, docketing statement, corporate disclosure, and a certification of service upon settlement counsel and the respondents of copies those documents and this cover letter.

Although I am a member of the Bar of the Court, admitted May 5, 1994, I have never been assigned a Court of Appeals Bar number -- hence the absence of that number on my appearance form. I request the assistance of your office in obtaining the number and will be pleased to amend the appearance form once one has been assigned to me.

An additional matter to bring to the Court's attention is that I will be out of my office from February 3 through 12 attending to family and business matters in California. During that time I can be reached within 24 hours by calling my home number and leaving a message on our home answering machine: (802) 387-5794. I will call home each evening to get any messages left for me. I very much appreciate the cooperation of the Court and parties using this method of reaching me during that time.

Sincerely,



Jonathan M. Block  
Attorney for Petitioner

Enc./ As listed herein above  
cc: Service List

Before the  
United States Court of Appeals  
For the First Circuit

Citizens Awareness Network, Inc.,  
*Petitioner*

No. 04-1145

-v.-  
United States of America  
and  
United States Nuclear Regulatory Commission  
*Respondents*

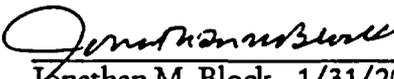
CERTIFICATE OF SERVICE

I, Jonathan M. Block, hereby certify that on January 31, 2004, I served copies of the within (1) cover letter, (2) appearance form, (3) docketing statement; and (4) corporate disclosure statement by way of postage pre-paid First Class United States mail on the following parties:

Settlement Counsel  
Civil Appeals Management Program  
1 Courthouse Way, Suite 3400  
Boston, MA 02210

Steven Crockett, Esq.  
Office of General Counsel  
United States Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

John Ashcroft, Esq.  
Office of Deputy Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530-0001

  
Jonathan M. Block 1/31/2004

Before the  
United States Court of Appeals  
For the First Circuit

Citizens Awareness Network, Inc.,  
*Petitioner*

No. 04-1145

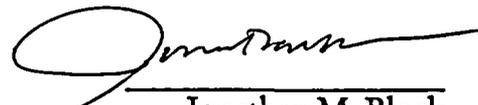
-v.-  
United States of America  
and  
United States Nuclear Regulatory Commission  
*Respondents*

CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 26.1, Petitioner Citizens Awareness Network, Inc.[CAN], hereby discloses that it is a non-profit, public interest organization incorporated under the laws of the Commonwealth of Massachusetts. It has no subsidiaries, but does have members and chapters throughout the Commonwealth of Massachusetts as well as Connecticut, Maine, New Hampshire, New York, and Vermont. Many live of its members live within the evacuation zones around operating or decommissioning nuclear reactors. CAN has no parent company or subsidiaries and neither holds nor issues its own stock or stock in subsidiaries.

DATED: this 31st day of January 2004 at Putney, Vermont.

Respectfully submitted:

  
Jonathan M. Block  
Counsel for Petitioner CAN

cc: Service List

To be filed by: 2/10/04

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

APPEARANCE FORM

Case No. 4-1145 Citizens Awareness v. US

FAILURE TO FILL OUT COMPLETELY MAY RESULT IN THE REJECTION  
OF THIS FORM AND COULD AFFECT THE PROGRESS OF THE APPEAL

THE CLERK WILL ENTER MY APPEARANCE AS COUNSEL ON BEHALF OF:

Citizens Awareness Network, Inc. as the  
(Specify name of person or entity represented)

- appellant(s)
- petitioner(s)
- I do not represent a party to the appeal.
- appellee(s)
- respondent(s)
- amicus curiae
- intervenor(s)

Jonathan M. Block  
(signature)

(SIGN ONLY IF PARTICIPATING)

Corrections:

\_\_\_\_\_ Status: a  
94 Main Street Jonathan M. Block, Esq.  
 \_\_\_\_\_ Main Street  
Putney, VT 05346-0566 P.O. Box 566  
 Telephone: (802) 387-2646 Putney, VT 05346-566  
 Fax: (802) 387-2667 Court Of Appeals Bar Number: \_\_\_\_\_  
 E-Mail: jonb@sover.net

Has this case or any related case previously been on appeal?  
 Yes \_\_\_\_\_ Court of Appeals No. \_\_\_\_\_  
 No X

To be filed by 2/10/04

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT  
(617) 748-9057

DOCKETING STATEMENT

Proposed Caption of Case:

If any party disagrees with the clerk's office's designation of the parties on appeal, it must file a motion to amend the caption with any supporting documentation attached. Absent an order granting such a motion, the parties are directed to use the proposed caption on all pleadings related to this case.

No. 04-1145

CITIZENS AWARENESS NETWORK, INC.

Petitioner

v.

UNITED STATES; UNITED STATES NUCLEAR REGULATORY COMMISSION

Respondents

Type of Action

Civil

Petition for Review

Criminal/Prisoner

Cross Appeal

A. Timeliness of Appeal

1. Date of entry of judgment or order appealed from Jan. 14, 2004

2. Date this <sup>petition for review</sup> ~~notice of appeal~~ filed January 28, 2004

If cross appeal, date first notice of appeal  
filed \_\_\_\_\_

3. Filing date of any post-judgment motion filed by any party which tolls time under Fed. R. App. P. 4(a)(4) and 4(b) N/A

4. Date of entry of order deciding above post-judgment motion N/A

5. Filing date of any motion to extend time under Fed. R. App. P. 4(a)(5), 4(a)(6) or 4(b) N/A

Time extended to N/A

B. Finality of Order of Judgment

1. Is the order or judgment appealed from a final decision on the merits?  Yes  No

2. If no, is the order appealed from a collateral or interlocutory order reviewable under any exception to the finality rule?  Yes  No

If yes, explain

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3. Did the district court order entry of judgment as to fewer than all claims or all parties pursuant to Fed. R. C. P. 54(b)?  Yes  No

N/A

If yes, explain

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C. Has this case previously been appealed?  Yes  No

If yes, give the case name, docket number and disposition of each prior appeal.

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D. Are any related cases or cases raising related issues pending in this Court, any district court of this circuit, or the Supreme Court?  Yes  No

If yes, cite the case and the manner in which it is related on a separate page. If abeyance or consolidation is warranted, counsel must file a separate motion seeking such relief.

E. Were there any in-court proceedings below?  Yes  No

Is a transcript necessary for this appeal?  Yes  No

If yes, is transcript already on file with district court?

N/A Yes No

If transcript is not already on file, attach copy of completed transcript order or a CJA Form 24 if you are proceeding under the Criminal Justice Act.

F. List each adverse party to the <sup>petition for review</sup> appeal. If no attorney, give address and telephone number of the adverse party. Attach additional page if necessary.

1. Adverse party United States of America

Attorney John Ashcroft, Esq.

Address Office of Dep. Atty Gen <sup>OR</sup> Environmental & Nat'l Resources Division (ENRD)

U.S. Dept. of Justice  
950 Pennsylvania Ave, N.W. Wash., D.C. 20530-0001  
Telephone \_\_\_\_\_

2. Adverse party United States Nuclear Regulatory Commission

Attorney Steven Crockett, Esq.

Address Office of General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Telephone (301)-415-2871

3. Adverse party \_\_\_\_\_

Attorney \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

G. List name(s) and address(es) of appellant(s) who filed this <sup>petition for review</sup> notice of appeal and appellant's counsel. Attach additional page if necessary.

1. <sup>Petitioner's</sup> Appellant(s) name Citizens Awareness Network, Inc.

Address P.O. Box 83

Shelburne Falls, MA 01370-0083

Telephone (413) 339-5781 (Deborah B. Katz, Executive Director, C.A.N.)

Attorney's name Jonathan M. Block

Firm J.M. Block, Attorney at Law

Address 94 Main Street

P.O. Box 566

Putney, VT 05346-0566

Telephone (802) 387-2646

2. Appellant(s) name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Attorney's name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Will you be handling the <sup>petition</sup>~~appeal~~? (In criminal cases counsel below will handle the appeal unless relieved by this court.)

Yes

No

Fed. R. App. P. 12(b) provides that each attorney who files a notice of appeal must file with the clerk of the Court of Appeals a statement naming each party represented on appeal by that attorney. Local Rule 12 requires that statement in the form of an appearance. Any counsel who filed a notice of appeal must provide the requisite appearance to be attached to this form.

Attorneys who are associated with the case,

but not actively representing a party on  
appeal, should NOT file an appearance form.

Failure to attach proof of service of the Docketing Statement on  
Settlement Counsel at Civil Appeals Management Program,  
1 Courthouse Way, Suite 3440, Boston, MA 02210 and all parties  
to the action below will result in rejection of the Docketing  
Statement pending compliance with Fed. R. App. P. 25(d)(1).

Signature

Jonathan M. Block

Date

January 31, 2004