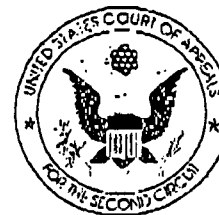




UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT  
THURGOOD MARSHALL U.S. COURTHOUSE  
OFFICE OF THE STAFF COUNSEL  
TEL#:(212) 857-8760  
FAX#:(212) 857-8756



Stanley A. Bass, Esq.  
Staff Counsel

FACSIMILE TRANSMISSION FORM

TO: Christine Malafi, Esq. FAX: (631) 853-7499  
TO: John Corders, Esq. FAX: (301) 415-3725  
TO: David R. Lewis, Esq. FAX: (202) 663-8007  
FROM: Stanley Bass / dp  
DATE: January 17, 2006

NUMBER OF PAGES INCLUDING THIS COVER SHEET 4

RE: **Courtesy Copy of 1)Pre-Argument Conference Notice and Order and  
2)AMENDED Notice of Pre-Argument Conference in  
County of Suffolk v. US N.R.C Docket NO. 05-6684-ag**

HARD COPIES to follow by regular mail service.

Please call this office if all pages were not received, or if any of the pages are illegible.

Please be advised that this fax is **CONFIDENTIAL!!** Should you inadvertently receive this fax, call the above phone number and notify the sender immediately.

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

STAFF COUNSEL'S OFFICE  
\*\*WOOLWORTH BUILDING\*\*  
233 BROADWAY, 6<sup>TH</sup> FLOOR  
NEW YORK, NY 10279

COPY

Roseann B. MacKechnic  
Clerk

Stanley A. Bass  
Staff Counsel  
T: (212) 857-8760  
F: (212) 857-8756

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County of Suffolk v. US N.R.C

Docket NO. 05-6684-ag

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**AMENDED NOTICE OF TELEPHONIC PRE-ARGUMENT CONFERENCE**

The PRE-ARGUMENT CONFERENCE originally scheduled for January 20, 2006 has been RESCHEDULED, on behalf of the Court, to the following new date and time:

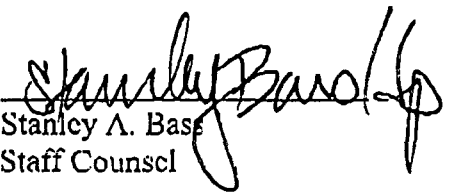
**Thursday February 2, 2006 at 3:00 P.M. (via teleconference)**

The conference should be initiated by appellant's counsel, who should first have all appellees' counsel on the line, and then call Staff Counsel at this conference line number: (212) 857-8761.

Any adjustments of the briefing schedule will be discussed at the conference. Please follow all previously issued instructions as to the conduct of the conference, including confirming with all other counsel in the case as well as Staff Counsel's office.

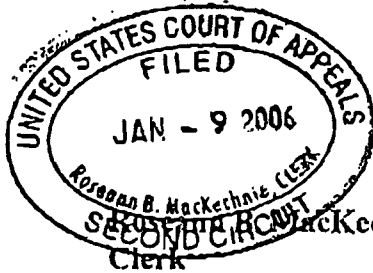
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Date

  
Stanley A. Bass  
Staff Counsel

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUITSTAFF COUNSEL'S OFFICE  
WOOLWORTH BUILDING  
233 BROADWAY, 6<sup>TH</sup> FLOOR  
NEW YORK, NY 10279

COPY

Stanley A. Bass  
Staff Counsel  
T #: (212) 857-8760  
F #: (212) 857-8761

County of Suffolk v. U.S. N.R.C

Docket NO. 05-6684-ag

**TELEPHONIC PRE-ARGUMENT CONFERENCE NOTICE AND ORDER**

For the convenience of counsel, a telephonic PRE-ARGUMENT CONFERENCE has been scheduled for **Friday January 20, 2006 at 4:00 P.M.** The conference should be initiated by appellant's counsel, who should first have all appellants' counsel on the line, and then call Staff Counsel at this conference line number: **(212) 857-8761.**

To effectuate the purposes of the Conference, the attorneys in charge of the appeal or proceeding are required to attend and must:

- (1) have full authority to settle or otherwise dispose of the appeal or proceeding;
- (2) be fully prepared to discuss and evaluate seriously the legal merit of each issue on appeal or review;
- (3) be prepared to narrow, eliminate, or clarify issues on appeal when appropriate.

Any other matters which the Staff Counsel determines may aid in the handling or the disposition of the proceedings may be discussed. Counsel may raise any other pertinent matter they wish at the Conference.

\* To insure that all parties have received notice of the scheduled pre-argument conference, counsel should confirm with each other the time and place of the conference at least 48 hours prior to the conference.

\*\* Counsel are requested to call (212) 857-8760, upon receipt of this notice, in order to confirm.

Date: \_\_\_\_\_

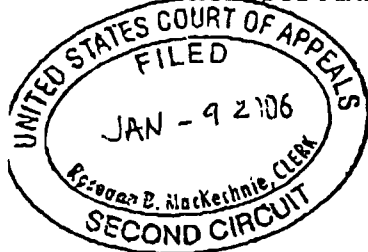
Roseann B. MacKechnie, Clerk  
by:

 A handwritten signature in black ink, appearing to read "Stanley A. Bass".
   
Stanley A. Bass  
Staff Counsel

PETITION FOR REVIEW

UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

THURGOOD MARSHALL U.S. COURT HOUSE

G: NRC  
C#: 50-336-LR

County of Suffolk v. U.S. N.R.C

Docket NO. 05-6684-ag

COPY

## AGENCY APPEAL SCHEDULING ORDER #

Address inquiries to:  
(212) 857-8544

IT IS HEREBY ORDERED that the certified list of material comprising the record or the record with a certified list (FRAP 17(b) ), shall be filed on or before February 3, 2006.

IT IS FURTHER ORDERED that the brief of petitioner(s) and the joint appendix shall be filed on or before February 10, 2006.

IT IS FURTHER ORDERED that the brief(s) of the respondent(s) shall be filed on or before March 13, 2006.

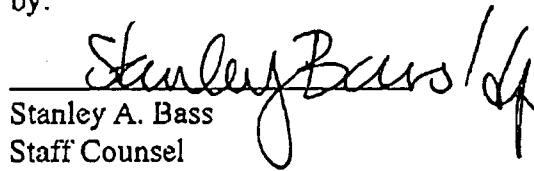
IT IS FURTHER ORDERED that the ten (10) copies of each brief shall be filed with the Clerk.

IT IS FURTHER ORDERED that the argument of the appeal shall be heard no earlier than the week of April 24, 2006. All counsel should immediately advise the Clerk by letter of the dates thereafter that they are unavailable for oral argument. The time and place of oral argument shall be separately noticed by the Clerk to counsel.

IT IS FURTHER ORDERED that in the event of default by the petitioner in filing the record on appeal or the petitioner's brief and joint appendix, at the times directed, or upon default of the petitioner regarding any other provision of this order, the appeal may be dismissed forthwith without further notice.

IT IS FURTHER ORDERED that if the respondent fails to file a brief within the time directed by this order, such respondent shall be subject to such sanctions as the court may deem appropriate.

Date: \_\_\_\_\_

Roscann B. MacKethnie, Clerk  
by:  
Stanley A. Bass  
Staff Counsel