

The parties now jointly move to modify the Initial Discovery Order to allow 30 days from the date of service of written discovery requests for service of replies to written discovery requests. This would move the deadline for replies to the pending written discovery requests served on June 1 to June 30, and would allow the parties to serve additional requests for written discovery as necessary during the discovery period. The parties believe that this schedule change will allow the parties to give more thorough and complete answers, which would ultimately increase the efficiency of the proceeding. The parties believe that a second round of written interrogatories may reduce the number of depositions ultimately needed, thereby increasing the efficiency of the proceeding. This schedule change would not alter the discovery deadline of September 15, 2006.

CONCLUSION

Therefore, the parties request that the Board amend the Initial Discovery Order to reflect that replies to pending written discovery requests are due June 30, 2006 and replies to any further written discovery requests must be filed within 30 days of service of the request.

Respectfully Submitted,

/RA by Sara E. Brock/

Sara E. Brock
Mary C. Baty
Counsel for NRC Staff

***/RA by Sara E. Brock
on behalf of Jane G. Penny/***

Jane Gowen Penny
Thomas W. Scott
Counsel for Mr. Miller & Mr. Moffitt

Dated at Rockville, Maryland
this 8th day of June, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
DALE L. MILLER) Docket No. IA-05-053
)
)
(Enforcement Action))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing JOINT MOTION TO AMEND DISCOVERY SCHEDULE GRANTED BY THE ATOMIC SAFETY AND LICENSING BOARD PANEL have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

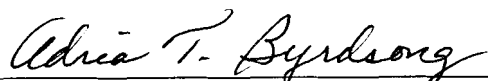
Administrative Judge
Michael C. Farrar, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
E. Roy Hawkens
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
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Washington, DC 20555-0001

Administrative Judge
Nicholas G. Trikouros
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Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 9th day of June 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
STEVEN P. MOFFITT) Docket No. IA-05-054
)
)
(Enforcement Action))

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Dated at Rockville, Maryland
this 9th day of June 2006