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March 12, 2007

Mr. Thomas Asreen
Acting Clerk
United States Court of Appeals
For The Second Circuit
Thurgood Marshall U.S. C
40 Foley Square
New York, NY 10007

Right side -

Re: Spano
Docket

*Kenneth Weckstein
Entry of Appearance*

Regulatory Commission

Dear Mr. Asreen:

Please enter the appearance of the undersigned as co-counsel for Petitioner in the referenced case. Enclosed are an original and two copies of a Notice of Appearance. We would appreciate it if you would file the Notice of Appearance and stamp a copy as filed and return it to us in the self-addressed stamped envelope.

Thank you.

Very truly yours,

Kenneth B. Weckstein
Kenneth B. Weckstein

KBW:pr

Enclosure

cc: Grace Kim, Esq.
Linda M. Trentacoste, Esq.
Richard Webster, Esq.

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EPSTEIN BECKER GREEN WICKLIFF & HALL, P.C. IN TEXAS ONLY.

DC:918185v1

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

Docket No. 07-0324-ag

**Title: Spano v. United States Nuclear Regulatory
Commission**

NOTICE OF APPEARANCE

Appearance for: Andrew J. Spano, as County Executive of the County of Westchester
and County of Westchester

Status of Party:

- | | |
|---|--|
| <input checked="" type="checkbox"/> (x) Appellant/Petitioner | <input type="checkbox"/> () Cross-Appellee/Cross Respondent |
| <input type="checkbox"/> () Appellee/Respondent | <input type="checkbox"/> () Intervenor |
| <input type="checkbox"/> () Cross-Appellant/Cross-Petitioner | <input type="checkbox"/> () Amicus Curiae |
| <input type="checkbox"/> () Other (specify) _____ | |

☒ (x) An attorney will argue this appeal.

- Name of attorney who will argue appeal, if other than counsel of record:
Kenneth B. Weckstein
- Date of arguing attorney's admission to this Court (month, day, year):
Application for Admission pending.
- Other Federal/State Bar admissions: (month, day, year): New York (Sept. 27, 1988), Virginia (Sept. 24, 1976), Maryland (Sept. 9, 1987), District of Columbia (January 31, 1977), U.S. Supreme Court (Jan. 21, 1980), U.S. Court of Federal Claims (Jan. 11, 1978), U.S. District Courts -- District of Columbia (Feb. 5, 1979), E.D. Va. (Dec. 30, 1980), D. Md. (Mar. 9, 1990), Court of Appeals -- D.C. Cir. (Mar. 16, 1979), Fed. Cir. (Oct. 1, 1982), 4th Cir. (Apr. 29, 2002), 10th Cir. (June 5, 2006), U.S. Tax Court (Apr. 11, 1979).

☐ () I am a pro se litigant who is not an attorney.

☐ () I am an incarcerated pro se litigant.

TIME REQUEST

- ☐ () Oral argument is not desired.
- ☒ (x) Oral argument is desired. Party requests 20 minutes or multi-co-parties request a total of _____ minutes to be apportioned as follows:

If more than 20 minutes per side is requested, set forth reasons:

AVAILABILITY OF COUNSEL/PRO SE LITIGANT

I understand that the person who will argue the appeal must be ready at any time during or after the week of argument which appears on the scheduling order.

() I know of no dates which would be inconvenient.

(x) I request that the argument of this appeal not be calendared for the following dates, which are inconvenient. I have included religious holidays:

September 13, 2007, January 1-9, 2008

COUNSEL OR *PRO SE* LITIGANT MUST ADVISE THE COURT IN WRITING OF ANY CHANGE IN AVAILABILITY. FAILURE TO DO SO MAY BE CONSIDERED BY THE COURT IN DECIDING MOTIONS FOR ADJOURNMENT BASED ON UNAVAILABILITY.

RELATED CASES

(x) This case has not been before this Court previously.

() This case has been before this Court previously. The short title, docket number and citation are: _____

(x) Matters related to this appeal or involving the same issue have been or presently are before this Court. The short titles, docket numbers and citations are:

We understand that the following case will be transferred to the Court for consolidation with this case: *NJ Env Fed'n vs. US Nuclear Reg Comm*, U.S. Court of Appeals for the Third Circuit, Docket No. 07-1304.

Signature of counsel of record or pro se litigant:

Signature of counsel who will argue the appeal, if different



Name: Kenneth B. Weckstein
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Name:
Firm:
Address:
Phone:
Fax:
Email:

Date: March 12, 2007

Date:

CERTIFICATE OF SERVICE

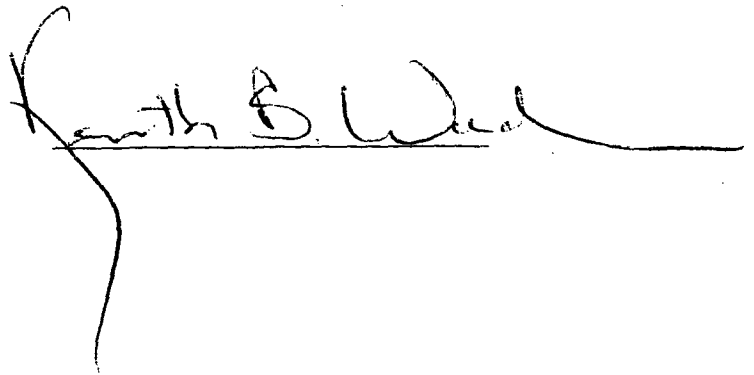
I, Kenneth B. Weckstein, hereby certify, under penalty of perjury, that on March 13, 2007, I caused a true copy of the attached Notice of Appearance to be served by first class mail upon:

Alberto Gonzales, Esq.
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530

Grace H. Kim, Esq.
U.S Nuclear Regulatory Commission
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Newark, NJ 07102-3094

A handwritten signature in black ink, reading "Kenneth B. Weckstein", is written over a horizontal line. A long, sweeping vertical line extends downwards from the end of the signature.