

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse at Foley Square 40 Centre Street, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

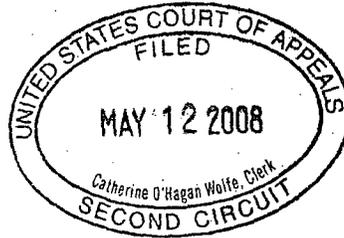
Docket Number(s): 08-1454-AG

Caption (use short title) Brodsky et. al. v. U.S. NRC

Motion for: an Extension

Set forth below precise, complete statement of relief sought: Petitioners seek an extension to respond to

Respondents motion to dismiss.



MOVING PARTY: Brodsky et al.

OPPOSING PARTY: U.S. NRC

- Plaintiff Defendant Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Richard L. Brodsky, Esq. [name of attorney, with firm, address, phone number and e-mail] New York state Assemblyman L.O.B. Room 422 Albany, New York 12248 518-455-5753 richardbrodsky@msn.com

OPPOSING ATTORNEY [Name]: Robert Rader, Esq. [name of attorney, with firm, address, phone number and e-mail] Office of General Counsel US Nuclear Regulatory Commission 11555 Rockville Pike Rockville, MD 20852 301-415-1955 robert.rader@nrc.gov

Court-Judge/Agency appealed from: Nuclear Regulatory Commission

Please check appropriate boxes:

Has consent of opposing counsel: A. been sought? B. been obtained? Yes No

Is oral argument requested? (requests for oral argument will not necessarily be granted) Yes No

Has argument date of appeal been set? If yes, enter date Yes No

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:

Has request for relief been made below? Yes No

Has this relief been previously sought in this Court? Yes No

Requested return date and explanation of emergency:

Signature of Moving Attorney Date: 5/7/08

Has service been effected? [Attach proof of service] Yes No

IT IS HEREBY ORDERED THAT the motion is GRANTED DENIED.

ORDER Petitioner's response to the motion to dismiss is due 5/29/08.



Date:

FOR THE COURT: Catherine O'Hagan Wolfe, Clerk of Court of Court By: Judy Pisanant, Motions Staff Attorney