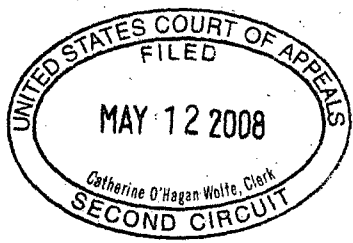


MOTION INFORMATION STATEMENT

Docket Number(s): 08-1454-AG

Caption [use short title]
Brodsky et. al. v. U.S. NRC

Motion for: Stay



Set forth below precise, complete statement of relief sought:
Stay of the scheduling order pending a
decision of the motion to dismiss

MOVING PARTY: Brodsky et al.
 Plaintiff Defendant
 Appellant/Petitioner Appellee/Respondent

OPPOSING PARTY: U.S. NRC

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? Yes No
B. been obtained? Yes No
Is oral argument requested? Yes No
(requests for oral argument will not necessarily be granted)
Has argument date of appeal been set? Yes No
If yes, enter date _____

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: [Handwritten Signature]
Date: 5/7/08

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

ORDER

Before: Hon. Ralph K. Winter, *Circuit Judge*

IT IS HEREBY ORDERED that the motion by Petitioner to stay the scheduling order pending resolution of the motion to dismiss is **GRANTED**.

Date: _____

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk
by Judy R
Judy Pisanant, Motions Staff Attorney