UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

Atomic Safety and Licensing Board

Before Administrative Judges:

ASLBP BOARD 09-892-HLW-CAB04 Thomas S. Moore, Chairman Paul S. Ryerson Richard E. Wardwell

In the Matter of	)	
	)	
U.S. DEPARTMENT OF ENERGY	)	**Docket No. 63-001-HLW**
	)	
(High Level Waste Repository)	)	**February 8, 2010**

STATE OF NEVADA
SECOND UPDATE TO ITS PARTY WITNESS LIST
FOR PHASE I DISCOVERY

On September 30, 2009, the CAB entered its Case Management Order #2. Its discussion of Party Witness Lists, Other Witness Lists, and updates to both is covered in Section C ("Discovery Rules"), subsection 1 ("Identification of Witnesses"). On February 2, 2010, the CAB entered an Order granting a DOE request and stating (at 1) "an interim suspension of discovery is granted." The State of Nevada accordingly concludes that no update of its Party Witness List is required since the update is a discovery requirement and discovery is suspended, but nonetheless states that it did not identify any additional Party Witnesses prior to the suspension of discovery.

Respectfully submitted,

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Dated: February 8, 2010

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing State of Nevada's Second Update to Its Party Witness List for Phase I Discovery has been served upon the following persons by the Electronic Information Exchange:

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