

**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
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<b>In the Matter of</b>	)	
	)	
<b>U.S. DEPARTMENT OF ENERGY</b>	)	<b>Docket No. 63-001-HLW</b>
	)	
<b>(High Level Waste Repository)</b>	)	<b>May 23, 2011</b>

**STATE OF NEVADA WITHDRAWAL OF DEPOSITION NOTICES**

As directed by this Licensing Board in its Memorandum and Order (Granting Motion for Protective Order) dated May 20, 2011 (hereinafter "Order"), the State of Nevada (Nevada) hereby withdraws its recently-issued Notice Duces Tecum of the Intention to Take the Oral Deposition (hereinafter "Deposition Notice") for each of six named party witnesses in this proceeding. Specifically, Nevada withdraws its Deposition Notice for Kevin Coppersmith and its Deposition Notice for Michael Gross, both of which were issued on April 25, 2011, and both of which were quashed by the Order (at 3) of the Licensing Board. In addition, as requested by the Licensing Board's Order (at 3), Nevada also withdraws the Deposition Notice for John McClure issued on May 6, 2011, the Deposition Notice for Michael Anderson issued on May 11, 2011, the Deposition Notice for Edward Thomas issued on May 12, 2011, and the Deposition Notice for Gerald Gordon issued on May 13, 2011. Finally, Nevada will refrain, absent compelling circumstances, from the issuance of any further deposition notices based upon the direction and guidance provided by the Licensing Board in its Order. In view of the pending

uncertainties relating to the continuation of the licensing proceeding, these steps seem eminently sound.

Respectfully submitted,

*(signed electronically)*

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Dated May 23, 2011

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NUCLEAR REGULATORY COMMISSION**

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing *State of Nevada Withdrawal of Deposition Notices* has been served upon the following persons by the Electronic Information Exchange:

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CAB 04

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