

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SHIELDALLOY METALLURGICAL CORPORATION)		
Petitioner,)		
)	
v.)		
)	No. 13-1259
UNITED STATES NUCLEAR REGULATORY)		
COMMISSION and the)		
)	
UNITED STATES OF AMERICA)		
Respondents.)		
)	

**PETITIONER’S CONSENT MOTION TO POSTPONE ORAL
ARGUMENT**

Pursuant to D.C. Circuit Rule 27, Petitioner Shieldalloy Metallurgical Corporation (“Shieldalloy”) respectfully moves this Court for a postponement of the date set for oral argument in the above captioned case. The oral argument date of September 12, 2014, set by Order issued by the Court on June 10, 2014, conflicts with other obligations of Matias Travieso-Diaz, Counsel for Petitioner, who will need to be in Europe starting on September 9, 2014 to attend a family wedding. In addition, Jay E. Silberg, co-counsel for Petitioner, will be at trial before the U.S. Court of Federal Claims during the same time period.

For those reasons, Petitioner requests that oral argument be postponed until no earlier than the week of September 29, 2014, at which time Counsel for Petitioner will have returned to the United States.

Petitioner has sought to consult with counsel for Respondent NRC and Intervenor State of New Jersey regarding this motion. The NRC does not object to the requested postponement of the oral argument date. We have been unable to contact counsel for New Jersey with respect to this motion.

CONCLUSION

For the foregoing reasons, the Court should grant this motion to postpone oral argument on this matter until after September 29, 2014.

Respectfully submitted,

/S/ Matias F. Travieso-Diaz

Jay E. Silberg

Matias F. Travieso-Diaz

Stephen L. Markus

Alison M. Crane

PILLSBURY WINTHROP

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Dated: June 10, 2014

ADDENDUM

Pursuant to Circuit Rule 27, following are (1) A certificate of parties and amici, in accordance with Circuit Rule 28(a)(1)(A); and (2) a disclosure statement, in accordance with Circuit Rule 26.1.

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PETITIONER’S CERTIFICATE OF PARTIES AND AMICI

In accordance with Circuit Rule 28(a)(1)(A), Petitioner Shieldalloy Metallurgical Corporation (“Shieldalloy”) certifies as follows:

1. **Parties:** In addition to Petitioner, parties to this action are Respondents U.S. Nuclear Regulatory Commission (“NRC”) and the United States of America.
2. **Intervenors:** The State of New Jersey has been admitted as an intervenor in this action.

Respectfully submitted,

/S/ Matias F. Travieso-Diaz

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_____)

PETITIONER’S CORPORATE DISCLOSURE STATEMENT

In accordance with Circuit Rule 28(a)(1)(A), Petitioner Shieldalloy Metallurgical Corporation (“Shieldalloy”) by and through its undersigned counsel, hereby certifies that:

Shieldalloy is a Delaware Corporation and is a direct, wholly-owned subsidiary of Metallurg, Inc., a Delaware corporation, and an indirect subsidiary of Metallurg Holdings, Inc., a Delaware Corporation. It is also an indirect subsidiary of Metallurg Delaware Holdings Corporation, a privately-owned holding company, and of AMG Advanced Metallurgical Group N.V., a publicly-owned company.

Shieldalloy is an industrial company that, at its facility in Newfield, New Jersey, manufactured for a number of years metal alloys from ores containing

small amounts of uranium and thorium. Shieldalloy has held for many years materials license No. SMB-743 issued by the U.S. Nuclear Regulatory Commission (“NRC”) authorizing it to possess the uranium and thorium at its Newfield facility. Such license has been transferred to the State of New Jersey by order of the NRC.

Respectfully submitted,

/S/ Matias F. Travieso-Diaz

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Counsel for Shieldalloy Metallurgical Corporation

E-mail: matias.travieso-diaz@pillsburylaw.com

Dated: June 10, 2014

CERTIFICATE OF SERVICE

In accordance with Circuit Rule 31, I hereby certify that copies of the foregoing Petitioner's Consent Motion to Postpone Oral Argument were filed with the Clerk of the Court using the CM/ECF System this 10th day of June 2014. An original and four paper copies were also filed with the Clerk of the Court by overnight mail on this date. In addition, the following participants in the case who are registered users will be served through the CM/ECF System:

Andrew P. Averbach, Esq., Solicitor
Grace H. Kim, Senior Attorney
Office of the General Counsel
U.S. Nuclear Regulatory Commission

Eric Holder, Attorney General of the United States
U.S. Department of Justice
Washington, DC 20530-0001

John Jay Hoffman, Esq.
Acting Attorney General of New Jersey
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