

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'99 APR 20 AIC:34

Before Administrative Judges:

Charles Bechhoefer, Chairman
Dr. Richard F. Cole
Dr. Charles N. Kelber

OFFICE OF
ADJUDICATION STAFF

SERVED APR 20 1999

In the Matter of

GARY ISAKOFF

Order Prohibiting Involvement
in NRC-Licensed Activities

Docket No. IA 98-006

ASLBP No. 99-765-02-EA

April 20, 1999

PREHEARING CONFERENCE ORDER
(Schedules for Discovery and Hearing)

On April 14, 1999, the Atomic Safety and Licensing Board for this proceeding conducted a telephone prehearing conference. The conference was transcribed (Tr. 1-13). Participating, in addition to the three Administrative Judges, were John F. O'Riordan, Esq., on behalf of Mr. Isakoff; Mr. Gary Isakoff, subject of the NRC Order being litigated; L. Michael Rafky, Esq. and Dennis Dambly, Esq., for the NRC Staff; and Mr. Stanley Rothstein, of the NRC Office of Enforcement.

The Licensing Board noted that, by its Memorandum and Order dated April 6, 1999, it had granted Mr. Isakoff's request for a hearing, that the parties to the proceeding were Mr. Isakoff and the NRC Staff (Staff) and that the issue to be adjudicated is whether the Staff's Order prohibiting Mr. Isakoff's involvement in NRC-licensed activities for a period of one year, together with related

20278

relief, should be sustained. A Notice of Hearing is being issued simultaneously with this Order.

Mr. O'Riordan indicated that the issues raised by the Staff's Order emanated from "political infighting" (Tr. 6) at Temple University Hospital and that Mr. Isakoff desired to adjudicate the entire scope of those issues. The Board ruled that, particularly in view of the credibility issues raised by Mr. Isakoff, as well as precedent in other enforcement cases, there would be no requirement for prefiled testimony. The parties were asked to provide prefiled qualifications of expert witnesses, if any.

The Board set the following schedules:


Discovery: Monday, April 19, 1999 through
Friday, June 18, 1999

Hearing: Week of July 19, 1999.

Under that schedule, the Licensing Board should receive, by Wednesday, July 14, 1999, lists of witnesses and documents to be utilized, and statements of the qualifications of any witnesses deemed to be expert witnesses.

IT IS SO ORDERED.

For the Atomic Safety and
Licensing Board


Charles Bechhoefer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
April 20, 1999

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

GARY ISAKOFF

(Order Prohibiting Involvement in
NRC-Licensed Activities)

Docket No.(s) IA-98-006

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing PREH. CONF. ORDER--SCHEDULES.. have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Charles Bechhoefer, Chairman
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

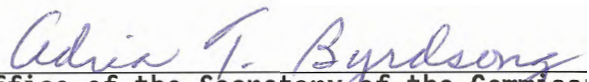
Administrative Judge
Richard F. Cole
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Charles N. Kelber
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

L. Michael Rafky, Esq.
Office of the General Counsel
Mail Stop - 0-15 B18
U.S. Nuclear Regulatory Commission
Washington, DC 20555

John F. O'Riordan, Esq.
Connolly Epstein Chicco Foxman Oxholm
& Ewing
1515 Market Street, Ninth Floor
Philadelphia, PA 19102

Dated at Rockville, Md. this
20 day of April 1999


Office of the Secretary of the Commission