

RELATED CORRESPONDENCE

DOCKETED
USNRC

June 8, 1998

'98 JUN 10 A 9:00

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
MAGDY ELAMIR, M.D.) IA 97-070
)
Newark, New Jersey)

NRC STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS

INTRODUCTION

Pursuant to 10 C.F.R. § 2.741 of the Commission's regulations, the NRC staff (Staff) hereby requests that Dr. Elamir produce for inspection and copying, the documents requested. The production of the documents requested herein shall take place at the Office of General Counsel, U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Room O-15-B-18, Rockville, Maryland, unless other arrangements are made, by agreement, in this regard. Pursuant to 10 C.F.R. § 2.741(d), Dr. Elamir must serve upon the Staff a written response within 30 days after the service of the request.

"Document" as used herein shall mean any written matter, whether produced, reproduced or stored on paper, cards, tapes, disks, belts, charts, film, computer storage devices, or any other medium and shall include, without limitation, matter in the form of books, reports, studies, statements, speeches, notebooks, agreements, appointment calendars, working papers, manuals,

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memoranda, notes, procedures, orders, instructions, directions, training materials, records, correspondence, diaries, plans, diagrams, drawings, periodicals, lists, telephone logs, minutes, photographs, and any published materials. Further, if any requested document had been in Dr. Elamir's possession or control, state the date when it was last in his possession or control and what disposition has been made of it, including the individuals involved with its disposition.

REQUEST FOR PRODUCTION OF DOCUMENTS 1

Produce all documents exchanged between Dr. Ben-Haim, his attorneys, agents, or other representatives and Newark Medical Associates and/or Dr. Elamir, their attorneys, agents, employees, or other representatives.

REQUEST FOR PRODUCTION OF DOCUMENTS 2

Produce all documents exchanged between the University of Medicine and Dentistry of New Jersey, its attorneys, agents, employees, or other representatives; Medi-Physics, Inc., its attorneys, agents, employees, or other representatives; Dr. Allen Wasserman, his attorneys, agents, employees, or other representatives; Dr. Maurizi, his attorneys, agents, employees or other representatives; Marina Geylikman, her attorneys, agents, employees or other representatives and Newark Medical Associates and/or Dr. Elamir, their attorneys, agents, employees, or other representatives.

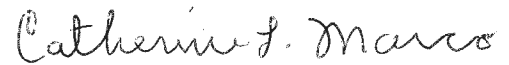
REQUEST FOR PRODUCTION OF DOCUMENTS 3

Produce all documents referring to or discussing: the Nuclear Regulatory Commission, its agents or employees; the University of Medicine and Dentistry of New Jersey, its agents or employees; Medi-Physics, Inc., its agents or employees; Dr. Allen Wasserman; Dr. Maurizi; Dr. Ben-Haim; Dr. Moskowitz and/or Ms. Geylikman.

REQUEST FOR PRODUCTION OF DOCUMENTS 4

Produce all documents referring to or discussing: the ordering of radiopharmaceuticals; radiation safety; radiation safety officer(s), or RSO(s); authorized user(s); bone scans; and nuclear diagnostic equipment and practices pertaining to the facilities owned by Dr. Elamir.

Respectfully submitted,



Catherine L. Marco
Counsel for NRC Staff

Dated at Rockville, Maryland
this 8th day of June, 1998

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of)
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MAGDY ELAMIR, M.D.) IA-97-070
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Newark, New Jersey)

OFFICE OF THE SECRETARY
RULEMAKING AND ADJUDICATIONS
ADJUDICATORY FILE

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS" in the above-captioned proceeding have been served on the following through deposit in the Nuclear Regulatory Commission's internal mail system, or by deposit in the United States mail, first class, as indicated by an asterisk this 8th day of June, 1998:

Charles Bechhoefer, Chairman
Administrative Judge
Atomic Safety and Licensing Board
Mail Stop T 3-F-23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Jerry R. Kline
Atomic Safety and Licensing Board
Mail Stop T 3-F-23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Peter S. Lam
Atomic Safety and Licensing Board
Mail Stop: T 3-F-23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Adjudicatory File (2)
Atomic Safety and Licensing Board
Mail Stop: T 3-F-23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

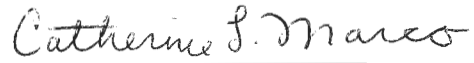
Office of the Commission Appellate
Adjudication
Mail Stop: 16-C-15 OWFN
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Office of the Secretary (2)
ATTN: Rulemaking and Adjudications
Staff
Mail Stop: 16-C-15 OWFN
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Atomic Safety and Licensing Board
Panel
Mail Stop: T 3-F-23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

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Catherine L. Marco
Counsel for NRC Staff