

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'98 JUL 29 P3:32

Before Administrative Judges:

Charles Bechhoefer, Chairman
Dr. Jerry R. Kline
Dr. Peter S. Lam

OFFICE OF THE
ADJUDICATING OFFICER

SERVED JUL 30 1998

In the Matter of

MAGDY ELAMIR, M.D.
Newark, New Jersey

Order Superseding Order
Prohibiting Involvement in
NRC-Licensed Activities
(Effective Immediately)

Docket No. IA 97-070

ASLBP No. 98-734-01-EA

July 29, 1998

MEMORANDUM AND ORDER
(Additional Stay Extension)

By our Memorandum and Order (Stay Pending Settlement Negotiations), dated June 23, 1998, we granted a stay jointly requested by Dr. Elamir and the NRC Staff until July 10, 1998, to accommodate settlement negotiations between the parties. On July 13, 1998, we granted a further joint request to extend the stay until July 17, 1998. And on July 21, we granted another joint request to extend the stay until July 31, 1998.

On July 28, 1998, the parties filed another joint motion to extend the time for reaching settlement to August 14, 1998. They report that Dr. Elamir has been out of the country and will be unable to discuss settlement with his counsel until he returns on or about August 3, 1998.

Commission rules provide a means for settlement of cases of

9367

this type. 10 C.F.R. § 2.203. The parties jointly advise that additional negotiating time may well allow them to reach a final agreement in this matter.

Accordingly, good cause having been demonstrated, the requested stay until Friday, August 14, 1998 is hereby granted. As before, if the parties are not able to reach agreement by that time, we should be so advised.

IT IS SO ORDERED.

For the Atomic Safety and
Licensing Board


Charles Bechhoefer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
July 29, 1998

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

MAGDY ELAMIR, M.D.

(Superseding Order Prohibiting
Involvement in Licensed Activities)

Docket No.(s) IA 97-070

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O (ADDITIONAL STAY EXT.) 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
Peter S. Lam
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

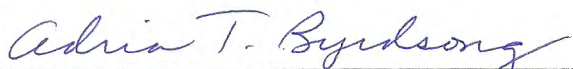
Administrative Judge
Jerry R. Kline
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Ann P. Hodgdon, Esquire
Catherine L. Marco, Esquire
Office of the General Counsel
Mail Stop - 0-15 B18
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Thomas H. Lee, II, Esquire
Rachel Nosowsky, Esquire
Dechert Price & Rhoads
4000 Bell Atlantic Tower
1717 Arch Street
Philadelphia, PA 19103

Perry D. Robinson, Esquire
Winston & Strawn
1400 L Street, N.W.
Washington, DC 20005

Dated at Rockville, Md. this
30 day of July 1998


Office of the Secretary of the Commission