

From: [Averbach, Andrew](#)
To: [Barry J White](#)
Cc: [Shilton, David \(ENRD\) \(David.Shilton@usdoj.gov\)](#)
Subject: RE: Re: Memo Of Consultation Re: Docket Nos. 50-250-LA and 50-251-LA
Date: Tuesday, December 20, 2016 10:24:00 AM

Thank you for letting me know.

Obviously, I cannot provide you with legal advice with respect to this matter, as I represent the NRC. You should be aware, however, of two things. First, it does not appear that the U.S. District Court would be the appropriate place to file a petition for review of the decision you reference; such a case would appear to be properly brought in the United States Court of Appeals. Second, it is not clear to us that the federal courts will permit a corporation, such as CASE, to be represented by a non-attorney. For these reasons, I would suggest that you consult with an attorney if you wish to pursue the matter further.

Andrew P. Averbach
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From: Barry J White [mailto:bwtamia@bellsouth.net]
Sent: Monday, December 19, 2016 4:30 PM
To: Averbach, Andrew <Andrew.Averbach@nrc.gov>
Subject: [External_Sender] Re: Memo Of Consultation Re: Docket Nos. 50-250-LA and 50-251-LA

Mr. Averbach, thank for your response.

CASE has filed all of its pleadings in this matter pro se and does plan to continue to do so.

Thank you,

Barry J. White
Authorized Representative
Citizens Allied for Safe Energy, Inc.
10001 SW 129 Terrace
Miami, FL 33176
305-251-1960
bwtamia@bellsouth.net

Sent from my iPhone

On Dec 19, 2016, at 4:20 PM, Averbach, Andrew <Andrew.Averbach@nrc.gov> wrote:

Thank you for the notice, Mr. White. Could you advise us as to whether CASE is or will be represented by an attorney in any future proceedings? If this is the case, our professional obligations would require us to communicate with CASE's attorneys. I do not mean to be rude – it is simply a question of professional responsibility.

Thank you,

Andrew P. Averbach
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From: Barry White [<mailto:bwtamia@bellsouth.net>]
Sent: Monday, December 19, 2016 3:35 PM
To: Averbach, Andrew <Andrew.Averbach@nrc.gov>; Steven Hamrick <steven.hamrick@fpl.com>
Subject: [External_Sender] Memo Of Consultation Re: Docket Nos. 50-250-LA and 50-251-LA

Please be advised that Citizens Allied For Safe Energy, Inc./CASE is planning on file an appeal of the decision rendered in CLI-16-18 Memorandum And Order issued on December 15, 2016 in response to CASE's Petition for Review date June 27, 2016, Docket Nos. 50-250-LA and 50-251-LA.

Case welcomes the opportunity to discuss the issues involved toward obviating CASE's need to file an appeal in U.S. District Court in Miami in a timely manner.

Respectfully submitted,

Barry J. White
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