




As we have already argued in previous pleadings, that motion was a nullity when filed. Motions for protective order are not in order after a motion to compel has been sought and granted; the time for filing such a motion is when the original response to discovery was due. See 10 CFR § 2.740. Therefore there was no requirement that the Board rule on it at all.

To allow this objection, is to grant to a party the right to flout the rules of practice and to control the course of the proceeding as it, rather than the Board, sees fit.

Respectfully submitted



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CERTIFICATE OF SERVICE

'86 SEP 29 A11:40

I, Thomas G. Dignan, Jr., one of the attorneys for the Applicants herein, hereby certify that on September 23, 1986, I made service of the within document by mailing copies thereof, postage prepaid, to:

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