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Subject:

Attachments: 2016-05-12 State Resp to MTD.pdf

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Attached is a copy of the State's response to the motion to dismiss filed by the Feds.

The biggest threat to us in the motion is their attempt to dismiss the \$100 million claim based on Court of Federal Claims jurisdiction. You'll see we are starting to really hit the removal of plutonium and keeping plutonium out in this memo.

We have a response to their motion to stay the summary judgment motion due next Thursday.

The following Monday, May 23, is their reply to the motion to dismiss. That Wednesday is the due date for their response to the motion for summary judgment, but my anticipation is that Judge Childs will stay that pending a ruling on the motion to dismiss.

Randy

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