

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

United States of America
ex rel. Richard F. Miller,

Plaintiff,

vs.

Philipp Holzmann A.G., et al.,

Defendants.

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: CA No. 95-1231 (WBB/JMF)
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ORDER

This matter having come before the Court for a status conference on September 8, 2005,

IT IS HEREBY ORDERED that proceedings as to defendant Roy Anderson's motion to dismiss [#58] filed May 30, 2002 will be stayed for 60 days to allow the United States and defendant Roy Anderson to complete a settlement; and

IT IS FURTHER ORDERED that proceedings as to defendant J. A. Jones Construction Company's motion to dismiss [#27] filed October 5, 2001 will be stayed for 60 days to allow the United States and the Creditors Committee for defendant J. A. Jones Construction Company to complete a settlement; and

IT IS FURTHER ORDERED that defendant Philipp Holzmann A.G. is granted ten days from the date of this Order to file a pleading to supplement its motion to dismiss for lack of jurisdiction [#82] filed May 30, 2002; and

IT IS FURTHER ORDERED that defendants Bill Harbert International Construction, Inc., Harbert Construction Services (U.K.) Ltd., and Bill L. Harbert are granted ten days from the date of this Order to file a pleading to supplement their motion to dismiss [#161] filed October 19, 2002 and docketed March 1, 2004; and

IT IS FURTHER ORDERED that the United States and relator Richard F. Miller are thereafter granted 15 days to reply to the supplemental pleadings to be filed by defendants Bill Harbert International Construction, Inc., Harbert Construction Services (U.K.) Ltd., and Bill L. Harbert; and

It appearing that there is the possibility of a resolution by settlement among relator Richard Miller, the United States, and defendant Philipp Holzmann A.G., **IT IS FURTHER ORDERED** that the portion of the case involving these parties is referred to Judge Kay for the purpose of settlement. This is no way prejudices Holzmann's ability to file supplemental pleadings at a later date if efforts at settlement are unsuccessful; and

IT IS FURTHER ORDERED that if any party wishes to file additional motions, it must do so within ten days of the date of this Order. Oppositions will be due 15 days thereafter and replies will be due 5 days thereafter.

SO ORDERED.

Dated: September 14, 2005

JOHN M. FACCIOLA
UNITED STATES MAGISTRATE JUDGE