



**UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS**

SCHEDULING ORDER: January 25, 2007

**CBCA 197-ISDA, 321-ISDA, 322-ISDA, 323-ISDA, 324-ISDA, 325-ISDA, 327-ISDA,
328-ISDA**

CITIZEN POTAWATOMI NATION

Appellant,

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Respondent.

**Donald J. Simon, of Sonosky, Chambers, Sachse, Endreson & Perry, LLP, Washington, DC,
counsel for Appellant.**

**Shara Michalka, Office of the General Counsel, Department of Health and Human Services,
Dallas, TX, counsel for Respondent.**

STEEL, Board Judge.

ORDER

The Answer and request for oral hearing in the above-captioned cases were received on January 5, 2007. Not later than February 21, 2007, each party will file a status report stating whether it intends to conduct discovery and, if so, the party will propose a date by which discovery and any responses (including written discovery and depositions) will be concluded. If a party intends to file a dispositive motion regarding all or part of the appeal, the party's status report should include a date for filing the motion.

The Board urges the parties to confer in order to clarify issues, exchange information, develop stipulations, and agree upon scheduling, and file their status report jointly if they prefer. The parties are also urged to discuss settlement, and consider the use of alternative dispute resolution (ADR) with or without the assistance of the Board. Either party may request a status conference of both parties with the Board, to be held in person or by telephone, if the parties believe a status conference would assist them in resolving these appeals.

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Proposed interim rules for the CBCA(attached)are pending approval by OMB for publication. I suggest that the proposed rules guide the parties until such publication. All letters and documents sent to the Board must be sent to the opposing party by the same means as they are sent to the Board. In addition to the original and one hard copy normally filed with the Clerk's Office, Counsel are requested to provide the undersigned with a digital copy of substantive pleadings by compact disc, preferably in Wordperfect format, or by email to andrea.lewis@gsa.gov. Digital copies need not be provided for more ministerial submissions such as entry of appearance of counsel, scheduling and brief joint status reports. Please appreciate that this is simply for my convenience and does not replace the Clerk's office filing requirements.

Filing occurs when a document is received by the Clerk of the Board on a weekday during working hours (8:00 a.m. through 4:30 p.m., Eastern Time.). Filing does not occur when a document is mailed.



Candida S. Steel
Board Judge