

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

ROCK CREEK HYDROPOWER, INC.)	
an Idaho corporation,)	
)	
Plaintiff,)	Case No. CV 04-556-S-BLW
)	
v.)	ORDER ON MOTION
)	FOR EXPEDITED BRIEFING
ENEL NORTH AMERICA, INC., et al.,)	
)	
<u>Defendants.</u>)	

Currently pending before the Court is Plaintiff's Motion to Expedite Briefing and Disposition of Motion for Protective Order, or in the Alternative, Motion for Clarification ("Motion for Protective Order"). (Docket No. 73). Plaintiff requests that Defendant be required to respond to Plaintiff's Motion for Protective Order by May 12, 2006 and that the Motion be decided before May 15, 2006. *Motion to Expedite*, p. 2 (Docket No. 72).

This proposed briefing and disposition schedule would provide only one day for Defendants to respond to Plaintiff's Motion and then one work day for the Court to rule on the Motion.

Plaintiff's proposed schedule does not allow adequate or reasonable time for responding to and considering the Motion. However, an expedited schedule is necessary to allow consideration of Plaintiff's Motion for Protective Order before May 23, 2006, the date scheduled for Mr. Nungester's deposition. For this reason, an expedited schedule will be allowed to provide Defendants more time to respond than the extremely short time proposed by Plaintiff.

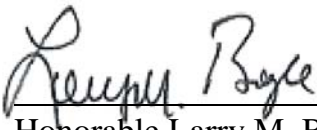
Additionally, the Court will dispose of Plaintiff's Motion as soon as possible after Defendants file their response, without waiting for a reply brief from Plaintiff.

IT IS HEREBY ORDERED that:

1. Plaintiff's Motion to Expedite Briefing and Disposition of Motion for Protective Order, or in the Alternative, Motion for Clarification (Docket No. 73) is GRANTED, in part, and DENIED, in part. Defendants' response, if any, to Plaintiff's Motion for Protective Order, or in the Alternative, Motion for Clarification (Docket No. 72), shall be filed on or before May 18, 2006.
2. The Court will dispose of Plaintiff's Motion for Protective Order, or in the Alternative, Motion for Clarification (Docket No. 72) as soon as possible after receiving Defendants' response, without waiting for Plaintiff to file a reply brief.



DATED: **May 11, 2006.**


Honorable Larry M. Boyle
Chief U. S. Magistrate Judge