

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

THOMAS C. PORTA, et al.,)	
)	
and)	
)	
ANDREW D. BARTH, et al.,)	No. 05-14210C
)	& No. 05-759C
Plaintiffs,)	
)	CONSOLIDATED
v.)	
)	(Judge Firestone)
THE UNITED STATES,)	
)	
Defendant.)	

JOINT STATUS REPORT

In accordance with the Court's order dated May 24, 2006, the parties file this joint status report with regard to the "next steps in the litigation." As stated in defendant's unopposed motion for an enlargement of time filed on October 26, 2006, the parties continue to attempt to complete discovery in this case, and in the related case of Moreno v. United States, No. 05-142 (Fed. Cl.). To that end, plaintiffs' counsel deposed Wayne Coleman on November 2, 2006, and November 3, 2006. On November 2, 2006, by electronic mail, and on November 3, 2006, in person, defendant's counsel provided to plaintiffs' counsel additional recently-discovered non-privileged responsive documents, as well as a draft proposed joint stipulation of fact and law. As a result, the next appropriate steps in this case are for the parties to continue to work diligently to resolve discovery disputes and complete discovery on liability by

December 1, 2006, or to request additional time, or assistance from the Court, as necessary.

s/ Michael J.D. Sweeney
MICHAEL J.D. SWEENEY
The Getman Law Office
9 Paradies Lane
New Paltz, NY 12561
Tel: (845) 255-9370
Fax: (845) 255-8649

Attorney for Plaintiffs

Respectfully submitted,

PETER D. KEISLER
Assistant Attorney General

DAVID M. COHEN
Director

s/ Kathryn A. Bleecker
KATHRYN A. BLEECKER
Assistant Director

s/ Jeffrey S. Pease
JEFFREY S. PEASE
Trial Attorney
Commercial Litigation Branch
Civil Division
Department of Justice
Attn: Classification Unit
8th Floor
1100 L Street, NW
Washington, D.C. 20530
Tel: (202) 353-7991
Fax: (202) 514-8624

November 7, 2006

Attorneys for Defendant

CERTIFICATE OF FILING

I hereby certify that on this 7th day of November 2006, a copy of the foregoing "JOINT STATUS REPORT" was filed electronically. I understand that notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Jeffrey S. Pease