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13 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

DENNIS MONTGOMERY, et al.,)	
Plaintiffs,)	
v.)	3:06-CV-00056-PMP-VPC
ETREPPID TECHNOLOGIES, INC.,)	BASE FILE
et al.,)	3:06-CV-00145-PMP-VPC
Defendants.)	

20 **UNITED STATES' SUPPLEMENTAL NOTICE OF**
 21 **FILING REGARDING DISCOVERY PROTOCOLS**

22 Pursuant to the Minutes of Proceedings from the October 11, 2007 Case Management
 23 conference, the United States submitted a Notice on November 9, 2007 regarding protocols to
 24 facilitate the discovery process in accordance with the August 29, 2007 United States' Protective
 25 Order, which upheld the government's assertion of the military and state secrets privilege. The
 26 version of the proposed discovery protocols attached to the November 9 Notice was transmitted
 27 simultaneously to counsel for the parties. The United States files the instant supplemental notice
 28 to advise the Court that: (1) counsel for eTreppid Technologies, Inc. has stated that they have no

1 objections to the discovery protocols; and (2) despite further negotiations, the Montgomery
2 parties and the government have not reached an agreement with respect to the final language of
3 the protocols. The United States is prepared to discuss the government's proposed protocols and,
4 in particular, the issues of disagreement at the November 15, 2007 discovery conference.

5 DATED: November 13, 2007

6 Respectfully submitted,

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