

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

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SALT INSTITUTE and the CHAMBER )  
OF COMMERCE OF THE UNITED )  
STATES OF AMERICA )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
TOMMY G. THOMPSON, Secretary, )  
U.S. Department of Health and Human )  
Services )  
 )  
Defendant. )  
\_\_\_\_\_ )

2004 AUG 13 A 10:19  
CLERK US DISTRICT COURT  
ALEXANDRIA, VIRGINIA

Case No. 04-CV-359 GBL

**JOINT REPORT AND DISCOVERY PLAN**

Pursuant to this Court's order of August 2, 2004, the parties to the above-captioned litigation respectfully submit the instant report and discovery plan:

1. Plaintiffs bring the instant action for equitable relief against the Secretary of Health and Human Services pursuant to the Information Quality Act, the Shelby Amendment, and the Administrative Procedures Act, concerning information released by the National Heart, Lung, and Blood Institute (a component of the Department of Health and Human Services) concerning the health effects of salt in the human diet. The Secretary has filed a motion to dismiss, which is now set for hearing on September 3, 2004. The parties have agreed upon a stay of all discovery until such time as this Court rules upon the Secretary's motion. As the parties have stated in other papers filed with this Court, given the relief sought by the plaintiffs, the amount of discovery will be minimal, and as such, a stay will not have any impact on the orderly progress of this litigation.

2. Should the Secretary not prevail on his motion to dismiss, the parties further agree to propound initial disclosures as mandated by Federal Rule 26(b)(1) within two weeks of the entry of this Court's order.

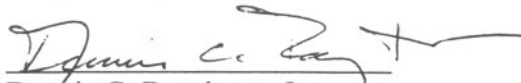
3. The parties will strive to complete all discovery by November 12, 2004.

4. Expert disclosures will be governed by Local Rule 26(d)(2-4).

5. At this time, the parties do not anticipate a settlement of this action.


6. At present, the parties do not consent to a trial before a United States Magistrate Judge.

Respectfully submitted,



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Date: 8/13/04  
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 ASA, &N

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Date: 8/13/04  
Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, a true copy of the foregoing was served on plaintiff by first class mail addressed to:

Reed D. Rubenstein  
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800 Connecticut Avenue, N.W., #500  
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Date: 8/13/04

  
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DENNIS C. BARGHAAN, JR.  
Assistant United States Attorney