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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**RICHARD VIETH, NORMA JEAN
VIETH, and SUSAN FUREY,**

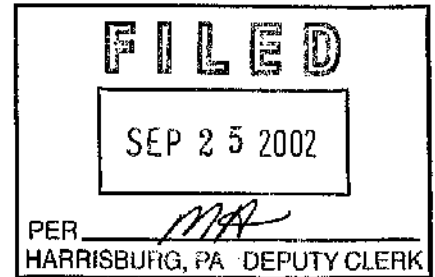
CIVIL NO. 1:CV-01-2439

Plaintiffs

v.

**COMMONWEALTH OF
PENNSYLVANIA, et al.,**


Defendants



ORDER

On September 23, 2002, the court held a telephone conference with counsel regarding Defendants' motion to conduct limited discovery. At that conference, Defendants indicated that they wish to depose Robert L. Priest.

In accordance with the matters discussed during this conference, **IT IS HEREBY ORDERED THAT** Defendants' motion to conduct limited discovery is **DENIED**. It is the unanimous view of the panel that the hearing on October 15, 2002 will involve a purely legal issue. Specifically, whether Act 34 remedies the constitutional violation that the court found in its order of April 8, 2002.


SYLVIA H. RAMBO
United States District Judge
on behalf of the Panel

Dated: September 25, 2002.