

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

FEDERAL ENERGY REGULATORY COMMISSION,)	
)	
)	
Plaintiff,)	Civil Action No. 3:15-cv-00452 (MHL)
v.)	
)	
POWHATAN ENERGY FUND, LLC,)	
HOULIAN "ALAN" CHEN,)	
HEEP FUND, INC., and)	
CU FUND, INC.)	
)	
Defendants.)	
)	

JOINT NOTICE CONCERNING PROCEDURAL STATUS

Pursuant to the Court’s Order of August 4, 2020 (Dkt. No. 136), Plaintiff Federal Energy Regulatory Commission (the “Commission”) and Defendants Powhatan Energy Fund, LLC, Houlian Chen, HEEP Fund, Inc., and CU Fund, Inc. (collectively “Defendants”) jointly provide this status report addressing the procedural status of this case.

Defendants have not filed a petition for certiorari with the Supreme Court of the United States and have until September 12, 2020 to do so under the Court’s March 19, 2020 Order extending deadlines in light of the current health pandemic. Defendants are still considering whether they intend to file a petition by the deadline. Defendants will file an Answer to the Commission’s Complaint dated July 31, 2015 (Dkt. No. 1) and as amended on January 29, 2018 (Dkt. No. 93) at a time directed by the Court. The parties are thereafter prepared to participate in a conference to establish a schedule for initial disclosures, discovery and the other matters encompassed by Fed. R. Civ. P. 26.

The parties plan to continue discussing settlement, which may render moot other scheduling efforts. However, any settlement negotiations, Court mandated or otherwise, may proceed in parallel with establishing a schedule for the remainder of the proceeding.

Respectfully Submitted,

Dated: August 11, 2020

FEDERAL ENERGY REGULATORY
COMMISSION

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Director
Office of Enforcement

Janel Burdick
Deputy Director
Office of Enforcement

Geo. F. Hobday Jr.
Director
Division of Investigations

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CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2020, I filed the foregoing Notice with the Clerk's Office, using the CM/ECF system, which will send a notification of such filing to counsel of record in this matter.

_____/s/
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