

**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 WITHDRAWING DISCOVERY DISPUTES

Plaintiff Federal Energy Regulatory Commission (“Plaintiff,” the “Commission,” or “FERC”) and Defendants Powhatan Energy Fund, LLC, Houlian “Alan” Chen, HEEP Fund, Inc., and CU Fund, Inc. (collectively, “Defendants”) jointly notify the court of the resolution of certain pending discovery matters.

The Parties have continued to meet and confer regarding the discovery disputes noticed to the court in the following filings: ECF Nos. 179, 185, 191, and 196. By agreement memorialized in an email dated August 5, 2021, the Parties have resolved the disputes listed in ECF Nos. 179, 185, and 196, and hereby withdraw those notices without prejudice to their ability to renew objections or raise additional objections upon completion of the discovery contemplated by the agreement.

Consistent with Magistrate Judge Colombell’s direction, the Parties have agreed to table the discovery dispute raised in ECF No. 191 pending completion of the additional discovery referenced above. The Parties have agreed to continue to confer in good faith to resolve that

dispute and shall notify the Court when the parties reach either a negotiated resolution, or a determination that a Court ordered resolution is required.

Respectfully Submitted,

/s/ Steven Tabackman

Steven Tabackman (Va. Bar No. 16448)
Damon Taaffe (*Pro Hac Vice*)
Daniel T. Lloyd (*Pro Hac Vice*)
FEDERAL ENERGY REGULATORY
COMMISSION
888 First Street, N.E.
Washington, DC 20426
Telephone: (202) 502-8311
Facsimile: (202) 502-6449
Email: steven.tabackman@ferc.gov

*Attorneys for Federal Energy Regulatory
Commission*

/s/ Patrick Hanes

Patrick R. Hanes (Va. Bar No. 38148)
WILLIAMS MULLEN
Williams Mullen Center
200 South 10th Street, Suite 1600
Richmond, VA 23219
(804) 420-6000
phanes@williamsmullen.com

Counsel for Powhatan Energy Fund, LLC

/s/ Robert Warnement

Robert W. Warnement (Va. Bar No. 39146)
SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP
1440 New York Avenue, N.W.
Washington, DC 20005
Telephone: (202) 371-7507
Facsimile: (202) 661-9040
robert.warnement@skadden.com

*Counsel for Houlian Chen, HEEP Fund, Inc.,
and CU Fund, Inc.*

Dated: August 6, 2021

CERTIFICATE OF SERVICE

I certify that on August 6, 2021, I filed the foregoing notice using the CM/ECF system, which will send a notification of such filing to counsel of record in this matter.

/s/ Steven Tabackman

Steven Tabackman

Va. Bar No. 16448

Attorney for Federal Energy Regulatory Commission

Office of Enforcement

Federal Energy Regulatory Commission 888 First Street, N.E.

Washington, DC 20426

Tel. (202) 502-8311

Fax (202) 502-6449

Steven.Tabackman@ferc.gov