

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff,</i>)	
)	Civil Action No.1:03-CV-00434 (HHK)
v.)	
)	
SMITHFIELD FOODS, INC.,)	
)	
<i>Defendant.</i>)	
)	

**PLAINTIFF’S MOTION FOR LEAVE TO CONDUCT
DISCOVERY LIMITED TO THE ISSUE OF PERSONAL JURISDICTION**

As an alternative to denying outright Defendant’s Motion to Dismiss for Lack of Personal Jurisdiction, the Plaintiff, United States of America (“Plaintiff”), respectfully moves the Court for entry of an Order granting Plaintiff leave to conduct discovery limited to the issue of whether the Defendant, Smithfield Foods, Inc. (“Defendant” or “Smithfield”) is subject to the personal jurisdiction of the Court.

As detailed in the accompanying Memorandum of Points and Authorities in Support of Plaintiff’s Motion for Leave to Conduct Discovery Limited to the Issue of Personal Jurisdiction, the law of this Circuit authorizes jurisdictional discovery where there is doubt about the underlying facts regarding personal jurisdiction.

Wherefore, Plaintiff respectfully requests that the Court enter an Order granting Plaintiff leave to conduct discovery limited to the issue of the Court’s personal jurisdiction over the Defendant.

Statement of Compliance with D.D.C. LCvR 7.1 (m)

Pursuant to L.Cv.R 7.1(m), Plaintiff discussed this motion with Smithfield's counsel by telephone on April 16, 2003 in an effort to narrow any areas of disagreement, and Smithfield's counsel advised that the Defendant opposes this motion.

Dated: April 25, 2003

Respectfully submitted,
Plaintiff, United States

By _____ "/s/" _____
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