

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF HEALTH

In the Matter of the Administrative
Penalty Order Issued to Causeway on
Gull Association, Inc.

PREHEARING ORDER

A prehearing conference was held on August 23, 2006, at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401. Jennifer Beens Harper, Assistant Attorney General, 445 Minnesota Street, Suite 1200, St. Paul, MN 55101, appeared on behalf of the Department of Health. Richard D. Hawke, Esq., 2345 Rice Street, Suite 165, St. Paul, Minnesota 55113, appeared on behalf of Causeway on Gull Association Inc. (Causeway).

IT IS HEREBY ORDERED:

1. Discovery shall be completed by November 27, 2006.
2. Any dispositive motions shall be served by December 22, 2006, and the responding party shall have until January 8, 2007 to respond.
3. This matter is scheduled for hearing on January 30, 2007 commencing at 9:00 a.m. at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401.
4. The parties shall exchange proposed written exhibits and witness lists, and file an index of exhibits and a copy of the witness list with this office five business days prior to the hearing date. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.
5. Hearings are ordinarily tape-recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than January 5, 2007. See Minn. R. 1400.7400, subp. 2.
6. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at www.oah.state.mn.us.

7. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

8. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 23rd day of August, 2006

s/Raymond R. Krause

RAYMOND R. KRAUSE

Chief Administrative Law Judge