

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE MINNESOTA DEPARTMENT OF HEALTH

In the Matter of Cup Foods

SCHEDULING ORDER

Following the submissions of the parties during a May 30, 2007 telephone Pre-Hearing Conference;

IT IS HEREBY ORDERED:

1. The evidentiary hearing in this matter will be held at 9:30 a.m. on Tuesday, October 23, 2007, at the Office of Administrative Hearings' new facility in the Harold E. Stassen Building, 600 North Robert Street, Saint Paul, Minnesota.
2. The discovery period shall close on Tuesday, August 21, 2007.
3. By 4:30 p.m. on Thursday, September 6, 2007, each party will file and serve copies of:
 - a. any motions *in limine*, including those relating to the admissibility of declarations from out-of-state witnesses or the protective measures to be used for the receipt of testimony or other evidence from agency investigators; and,
 - b. any motion for summary disposition.
4. By 4:30 p.m. on Tuesday, October 16, 2007, each party will file and serve copies of:
 - a. a list of the witnesses that it intends to call at the evidentiary hearing;
 - b. pre-labeled exhibits that it proposes to offer into the hearing record. The Department shall label its exhibits sequentially using numbers 1 through 50. The Respondent, Cup Foods, shall label its exhibits sequentially using numbers 51 through 100.

5. By 4:30 p.m. on Thursday, October 18, 2007, the parties will file and serve a statement (under Minnesota R. 1400.6950 (2)) detailing any objection to the foundation of a written exhibit.

Dated this 21st day of June, 2007

s/Eric L. Lipman
ERIC L. LIPMAN
Administrative Law Judge