

June 28, 2010

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Re: In the Matter of International Business Group, LLC, Inc;
OAH Docket No. 11-1003-21214-2

Dear Counsel:

This letter will confirm the rulings that were made during the telephone conference call on June 22, 2010, and will also address the pending motion of International Business Group to deem the Department to have admitted the subject matter of its Requests for Admissions.

1. The motion of International Business Group (IBG) for a continuance of the hearing in light of the Department's filing of an Amended Statement of Charges was GRANTED. The hearing shall be continued to **July 30, 2010**, commencing at **9:30 a.m.** in the courtrooms of the Office of Administrative Hearings, 600 North Robert Street, First Floor, St. Paul, Minnesota 55101. The deadline for the service and filing of witness and exhibit lists shall be extended to **July 19, 2010**.
2. The Department shall provide supplemental responses to all of IBG's discovery requests by July 1, 2010.
3. IBG's motion regarding the burden of proof was deemed moot in light of the Department's admission that it, in fact, bears the burden of proof with respect to the allegations of unlicensed activity set forth in the Amended Statement of Charges.
4. As set forth in the June 11, 2010, letter order issued by the Administrative Law Judge, the Department was to respond to IBG's Requests for Admission by June 15, 2010. This deadline was calculated in accordance with Minn. R. 1400.6800, which requires that requests for admission be answered in writing by the party to whom the request is directed within ten days of receipt of

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the request. The rule further specifies that “[f]ailure to make a written answer within ten days will result in the subject matter of the request being deemed admitted unless it can be shown that there was a justifiable excuse for failing to respond.” The Department did not respond to IBG’s Requests for Admission by June 15, 2010, nor did it file a motion to extend the deadline or offer any excuse for its failure to respond in a timely fashion. Accordingly, IBG’s motion to deem the subject matter of its Requests for Admission dated May 28, 2010, to have been admitted by the Department is hereby GRANTED.

Sincerely,

s/Barbara L. Neilson

BARBARA L. NEILSON
Administrative Law Judge
Tel. No.: 651-361-7845