

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE COMMISSIONER OF COMMERCE

In the Matter of the Certificate of Authority  
of United American Insurance Company

**SCHEDULING ORDER**

The undersigned Administrative Law Judge conducted a prehearing conference in this matter on August 29, 2002. David M. Aafedt, Assistant Attorney General, and Scott R. Goings, Assistant Attorney General, 1200 NCL Tower, 445 Minnesota Street, St. Paul, Minnesota 55101-2130, appeared representing the Department of Commerce. Alan E. Popkin, Esq., and David W. Sobelman, Esq., of the firm of Husch and Eppenberger, L.L.C., 190 Carondelet Plaza, Suite 600, St. Louis, Missouri 63105-3441, and David L. Sasseville, Esq., and Thomas L. Fabel, Esq., of the firm of Lindquist & Vennum, P.L.L.P., 80 South Eighth Street, Suite 4200, Minneapolis, Minnesota 55402-2274, appeared representing United American Insurance Company.

Based on the parties' proposed joint Pre-Hearing Order,

IT IS HEREBY ORDERED:

1. This contested case will be ready and is set for evidentiary hearing beginning September 29, 2003, at 9:30 a.m., and continuing through October 26, 2003, at the Office of Administrative Hearings.

2. A final prehearing conference will be held on September 22, 2003, at 2:00 p.m. at the Office of Administrative Hearings.

3. Petitions for Intervention in this proceeding must be filed on or before September 30, 2002.

4. The parties have requested a court reporter for the hearing and must advise the Administrative Law Judge of the payment arrangements one month prior to the hearing.

5. The parties may conduct depositions and serve written discovery in accordance with the provisions of Minn. R. pts. 1400.6700 to 1400.6900. With respect to the taking of depositions, each party shall be permitted, without leave of the Administrative Law Judge, to take depositions as if this case were governed by the Minnesota Rules of Civil Procedure. Any disputes as to the reasonableness of notice, location, length, scope or conduct of a deposition shall be resolved by the Administrative Law Judge upon request of a party.

6. The parties shall engage in mediation on or before May 22, 2003. The parties shall agree on a mediator by April 15, 2003, or ask the Administrative Law Judge to appoint one.

7. Discovery must be completed by July 10, 2003.

8. Non-dispositive motions must be heard by July 15, 2003.

9. Dispositive motions must be heard by July 31, 2003.

10. Each party shall serve its final witness list, including the name and address of each person expected to testify at the evidentiary hearing on behalf of that party, along with all exhibits the party expects to offer in evidence at the evidentiary hearing, on all other parties no later than September 15, 2002.

11. The parties shall amend and/or supplement discovery responses in accordance with the Minnesota Rules of Civil Procedure, but, in no event, shall such a party supplement or amend prior discovery responses any later than September 15, 2003.

12. The parties may by written agreement, and with the consent of the Administrative Law Judge, alter the deadlines and/or other limitations created by this Order.

13. Except as required by Minn. R. pt. 1400.6700, subp. 1, the party responding to any information request shall provide the information requested to the requesting party within thirty (30) days after the receipt of the request. The information need not be supplied as a matter of course to the Administrative Law Judge. Electronic or fax filing of requests and replies is permitted, but a hard copy filing shall be made contemporaneously. All disputes concerning the reasonableness of discovery requests and the timing and sufficiency of responses shall be resolved by the Administrative Law Judge upon motion of a party.

14. All motions, legal memoranda, affidavits, proposed Findings of Fact, and any pre-filed direct testimony sponsored by a party, but excluding information requests and responses, shall be filed as follows;

a. Prior to the Recommended Decision of the Administrative Law Judge, the original document and one copy shall be delivered or mailed to:

George A. Beck  
Administrative Law Judge  
Office of Administrative Hearings  
100 Washington Square, Suite 1700  
100 Washington Avenue South  
Minneapolis, Minnesota 55401-2138

b. Except as hereinafter provided, one copy shall be served personally or by mail on the attorneys of record of each party, or, if there is no attorney, upon the party.

c. A service list is attached hereto as Exhibit A and made a part hereof. Service of documents in the numbers requested by this Order shall be made according to the service list.

d. Following the Recommended Decision of the Administrative Law Judge, original documents shall be filed with the Commissioner of Commerce. A copy may be filed with the Office of Administrative Hearings.

e. The effective date of filing shall be the date the document is delivered to the Administrative Law Judge or to the Commissioner of Commerce.

f. Proof of service shall be filed with each filed document.

15. Parties are encouraged to stipulate to evidence not in dispute and to narrow the scope of the contested case issues to the matters actually in dispute. All stipulations will be subject to acceptance by the Administrative Law Judge.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

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GEORGE A. BECK  
Administrative Law Judge