

July 31, 2008

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Re: *In the Matter of Integrity Bonding, Inc., Zachary Harris, and  
Anthony Hanson*  
OAH Docket No. 3-1004-19568-2  
Commerce File No. IN4491/MCP

Dear Counsel:

This letter constitutes the Second Prehearing Order in the above matter concerning discussions held in the telephone status conference on July 30, 2008. Mr. Kaisershot appeared for the Department of Commerce (Department); Mr. Mergens and Mr. Green appeared for Integrity Bonding, Inc., and Zachary Harris; and Mr. Voss appeared for Anthony Hanson (Respondents).

Mr. Green requested that the hearing currently scheduled to take place August 13-15, 2008, be continued in order to permit him to obtain the testimony of an expert witness (forensic document examiner Janis Tweedy) who is unavailable on those dates. Mr. Voss had no objection to the requested continuance; Mr. Kaisershot objected on the basis of undue delay. The Administrative Law Judge found there was good cause to continue the hearing. The procedural schedule is amended as follows:

- September 10, 2008: Deadline for the Respondents to disclose all facts known and opinions held by experts, in compliance with the requirements of Minn. R. Civ. P. 26.01(3).
- September 30, 2008: The parties shall exchange exhibit lists and all exhibits they intend to offer into evidence at the hearing, along with witness lists containing a brief summary of the expected testimony of each witness. The parties shall send a copy of the exhibit lists and witness lists to the ALJ.
- October 8-10, 2008: Hearing, commencing at 9:30 a.m. at the Office of Administrative Hearings.

If, upon receipt of the Respondent's expert disclosure, Mr. Kaisershot determines that he needs more time to prepare a response, he should request an extension of any of the above deadlines as necessary.

We also discussed the Department's pending motion to compel discovery with regard to Respondent Anthony Hanson. Mr. Voss believes the discovery responses will be provided within a day or two. No response to the motion to compel will be required until Mr. Kaisershot has had an opportunity to review the discovery responses and determine if they are sufficient. If they are not, and if he is unable to resolve any discovery issues with Mr. Voss, Mr. Kaisershot may modify his motion in writing as necessary, and the Administrative Law Judge will set an expedited time (five working days) for a written response.

Sincerely,

s/Kathleen D. Sheehy

KATHLEEN D. SHEEHY  
Administrative Law Judge  
Telephone: (651) 361-7848

cc: Docket Coordinator