

August 10, 2005

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100 Washington Avenue South
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Re: In the Matter of Midwest Oil of Minnesota, LLC
OAH Docket No. 3-1011-16696-2

Dear Counsel:

This letter constitutes the First Prehearing Order in the above matter concerning matters discussed in the prehearing conference on August 5, 2005. Mr. Kaisershot appeared for the Department of Commerce; Mr. Sandberg appeared for Midwest Oil. We set the following schedule:

- August 22, 2005: Deadline for Midwest Oil to respond to the Department's pending discovery requests.
- Sept. 12, 2005: Discovery Deadline. This means all discovery requests must be served sufficiently in advance of the deadline to permit a response by the discovery deadline. Parties shall respond to all new discovery requests within ten days.
- Sept. 15, 2005: 1:30 p.m., telephone prehearing conference with counsel. The Administrative Law Judge will initiate the call. Counsel will advise as to the status of this matter.
- Sept. 19, 2005: Deadline for bringing dispositive motions.
- Sept. 29, 2005: Deadline for responding to dispositive motions.
- October 3, 2005: Deadline for parties to exchange copies of all exhibits and witness lists. The witness lists shall contain a brief summary of the expected testimony for each witness. The parties

shall provide a copy of the exhibit and witness lists to the Administrative Law Judge.

October 10-11,
2005:

Hearing, beginning at 9:30 a.m. at the Office of Administrative Hearings.

Sincerely,

s/Kathleen D. Sheehy
KATHLEEN D. SHEEHY
Administrative Law Judge
Telephone: (612) 341-7602

cc: Docket Coordinator