

July 22, 2005

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RE: In the Matter of the Appeal of the Minnesota Department of Education's Demand for Reimbursement of Child and Adult Food Care Program Overpayments; OAH Docket No. 11-1300-16459-2

Dear Ms. Bryant and Mr. Staunton:

I have received Ms. Bryant's letter of July 15, 2005, indicating that settlement discussions with the USDA have been concluded and proposing a briefing schedule for the case. It is my understanding that the Respondent has agreed to the proposed briefing schedule. The schedule set out in Ms. Bryant's letter is acceptable to me. Thus, the Department's motion and supporting memorandum shall be served and filed by August 19, 2005; the Respondent's motion and supporting memorandum shall be served and filed by September 23, 2005; and the Department's reply brief shall be served and filed by October 7, 2005. Oral argument concerning the motions shall be heard on October 25, 2005, at 3:30 p.m. in the courtrooms of the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota 55401.

Sincerely,

s/Barbara L. Neilson

BARBARA L. NEILSON
Administrative Law Judge
Telephone: 612/341-7604

cc: Docket Coordinator