

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE DEPARTMENT OF HUMAN SERVICES

In the Matter of the Appeal of the Order of
Conditional License and Order to Forfeit a
Fine issued to CCP Community Services

FIRST PREHEARING ORDER

A prehearing conference was held in the above-captioned matter by telephone on August 30, 2006. James C. Zuleger, Assistant County Attorney, Government Center, 14949 – 62nd Street North, P.O. Box 6, Stillwater, Minnesota 55082-0006, appeared on behalf of Washington County Community Services and the Minnesota Department of Human Services (pursuant to a delegation of authority by the Department). Samuel D. Orbovich, Attorney at Law, Orbovich & Gartner, 408 St. Peter Street, St. Paul, Minnesota 55102-1187, appeared on behalf of Cooperating Community Programs (“CCP”).

Based upon discussions with counsel during the prehearing conference, IT IS HEREBY ORDERED as follows:

1. All motions shall be served and filed by October 3, 2006. Responses in opposition to such motions shall be served and filed by October 13, 2006, and reply briefs with respect to such motions shall be served and filed by October 18, 2006.
2. Oral argument concerning the anticipated motion(s) for summary disposition shall be heard by telephone on October 20, 2006, at 3:30 p.m. The Administrative Law Judge will initiate the conference call.
3. By November 6, 2006, counsel shall exchange proposed exhibit and witness lists. The witness lists shall include a brief summary of the expected testimony of each witness.
4. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Pursuant to Minn. R. 1400.6950, subp. 2, any party objecting to the foundation for any written exhibit must notify both the offering party and the Administrative Law Judge in writing at least two working days before the hearing or the foundation objection is waived.
5. By November 13, 2006, counsel shall notify the Administrative Law Judge whether they will require the services of a court reporter at the hearing. If no court reporter is requested, the hearing will be tape-recorded.

6. The hearing in this matter shall be held on November 20-21, 2006, commencing at 9:30 a.m. each day in the Washington County Community Services Conference Room, Washington County Government Center, Second Floor, 14949 – 62nd Street North, Stillwater, Minnesota.
7. The parties shall appear at the hearing with at least three copies of each exhibit they plan to offer into evidence. Exhibits shall be pre-marked using Arabic numbers without designation of the party offering the exhibit.

Dated: September 22, 2006.

s/Barbara L. Neilson

BARBARA L. NEILSON
Administrative Law Judge