

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF HUMAN SERVICES

In the Matter of Maltreatment,
Disqualification and License
Revocation for
Patricia and Wayne Zabel

PREHEARING ORDER

A prehearing conference was held by telephone on August 5, 2009. Cynthia B. Jahnke, Assistant Attorney General, appeared on behalf of the Department of Human Services (Department). James R. Carlson, O'Brien & Wolf, L.L.P., appeared on behalf of Patricia and Wayne Zabel (Respondents).

The parties have agreed to participate in informal discovery. There was discussion of the dates and location for the hearing, and the need for accommodation for Mr. Zabel. Mr. Carlson will make inquiries about conducting the hearing at the Wabasha County Courthouse and will coordinate communication between the court administrator and the OAH docket clerk.

IT IS HEREBY ORDERED:

1. This matter is scheduled for hearing on **December 1, 2009**, at a time and location that will be determined, with notice given to the parties. The hearing will continue on December 2 and December 3, 2009, as necessary to complete the hearing.

2. The parties shall exchange proposed written exhibits and witness lists, and file copies with this office by **November 24, 2009**. See Minn. R. 1400.6950. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.

3. Hearings are ordinarily digitally recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **November 24, 2009**. See Minn. R. 1400.7400, subp. 2.

4. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served

on the other parties. A subpoena request form is available at www.oah.state.mn.us.

5. The Respondents have requested accommodation for a disability, and necessary arrangements are proceeding. The Office of Administrative Hearings shall be notified promptly if any additional accommodation or an interpreter is needed.

6. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 7th day of August 2009.

s/Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge