

September 22, 2010

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Services
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Cara M. Hawkinson
Assistant Attorney General
445 Minnesota Street, Suite 900
St. Paul, MN 55101-2127

Re: In the Matter of the Appeal of Barbara Williams Regarding the Determination of Maltreatment, Disqualification from Direct Contact, and Order of License Revocation; OAH Docket No. 11-1800-21476-2

Dear Counsel:

This letter will confirm our discussions during the prehearing conference held by telephone in the above matter on September 20, 2010, and constitutes the First Prehearing Order in this contested case proceeding.

1. During our conference, Ms. Hawkinson indicated that she would send Mr. Thomas a copy of the Department's file relating to this matter later that day.
2. At the suggestion of the Administrative Law Judge, the Department will file in the near future an Amended Notice of Hearing clarifying the statutes and rules it alleges were violated by the Respondent.
3. The Motion to Dismiss filed on behalf of Ms. Williams will be treated as a Motion for Summary Disposition and will be taken under advisement at this time. Both parties will be afforded a

Letter to C. Thomas and C. Hawkinson
September 22, 2010
Page Two

further opportunity to address that motion during the hearing and in argument filed before or after the hearing (at the discretion of the parties), and the Administrative Law Judge will include a ruling on the motion in the Report she prepares following the hearing.

4. By September 30, 2010, the parties shall exchange initial proposed exhibit and witness lists relating to this case and, by October 5, 2010, the parties shall exchange amended witness and exhibit lists. The witness lists shall include a brief summary of the expected testimony of each witness. If any documents identified as exhibits have not yet been exchanged, copies shall be provided with the exhibit lists. Exhibits shall be premarked by the parties using numbers rather than letters.

5. 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.

6. The hearing in this matter shall be held on October 14, 2010, beginning at 9:30 a.m. in the courtrooms of the Office of Administrative Hearings, 600 North Robert Street, St. Paul, Minnesota 55101. After the parties ascertain what witnesses will be called, they may, if they wish, request that the hearing location be changed to one that is more convenient for the witnesses.

7. The hearing shall be digitally recorded unless the parties notify the Administrative Law Judge by October 7, 2010, that they will require the services of a court reporter.

Please do not hesitate to contact me if you believe that an additional prehearing conference or telephone conference call prior to the hearing would be helpful.

Sincerely,

s/Barbara L. Neilson

BARBARA L. NEILSON
Administrative Law Judge
Tel.: (651) 361-7845