

July 9, 2007

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Re: *M. Scott Brener, Commissioner, Department of Labor and Industry,  
v. John Richardson, QRC #656*  
OAH Docket No. 3-1900-17862-2

Dear Counsel:

This letter constitutes the Second Prehearing Order concerning matters discussed in the telephone prehearing conference held this morning. Mr. Foley appeared for the Department of Labor and Industry (Department); Mr. Clapp appeared for John Richardson (Respondent). The parties agreed that an extension of the procedural schedule is appropriate based on the additional allegations contained in the Amended Complaint. The procedural schedule is revised as follows:

- September 10, 2007: Deadline for the Department's expert witness disclosure, in compliance with the requirements of Minn. R. Civ. P. 26.02(d).
- October 10, 2007: Deadline for the Respondent's expert witness disclosure, in compliance with the requirements of Minn. R. Civ. P. 26.02(d).
- November 9, 2007: Discovery deadline. All discovery requests shall be served sufficiently prior to this deadline to allow for timely responses by this date.
- November 21, 2007: Dispositive motion deadline.
- December 5, 2007: Deadline for replies to dispositive motions.
- December 21, 2007: Deadline for exchanging exhibits and witness lists. The witness lists shall contain a brief summary of the expected testimony of each witness. The parties shall provide copies of the exhibit and witness lists to the Administrative Law Judge.

January 8-11 and  
January 14-16, 2008: Hearing, commencing at 9:30 a.m. at the Office of  
Administrative Hearings. By the time of the hearing, OAH  
will have moved to its new offices in the Stassen Building at  
600 North Robert Street, St. Paul, Minnesota.

Deadlines for submission of post-hearing briefs will be set at the conclusion of  
the hearing.

Sincerely,

s/Kathleen D. Sheehy

KATHLEEN D. SHEEHY  
Administrative Law Judge  
Telephone: (612) 341-7602

Encl.

cc: Docket Coordinator