

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of the Administrative  
Order issued to Jeffrey Songer,  
individually and d/b/a Songer Plumbing

**NOTICE OF PREHEARING  
CONFERENCE**

PLEASE BE ADVISED that a prehearing conference will be held by telephone conference call on Monday, August 17, 2009, beginning at 11:00 a.m. and continuing as long as necessary.

Participating in the prehearing conference telephone call will be Manuel J. Cervantes, the undersigned Administrative Law Judge ("ALJ"), whose office is located at 600 North Robert Street, PO Box 64620, St. Paul, Minnesota 55164-0620, and whose telephone number is 651-361-7945; Wendy Willson Legg, Assistant General Counsel, (651) 284-5126 and the appellant herein, Jeffrey Songer, whose telephone number is (507) 895-6181, and/or his designated attorney.

The Judge will place the call, using these telephone numbers. If yours is not a good telephone number to use at that time or if it is necessary to change the time, please contact the ALJ immediately at the telephone number above, and advise the ALJ of any scheduling issue(s).

The purpose of the prehearing conference telephone call is to determine the nature of the dispute that caused the appeal, and to determine the best way to resolve it. The telephone call is expected to last about fifteen (15) minutes, and no more than thirty (30) minutes. If the appeal cannot be resolved during the telephone call itself, then the parties are to utilize the schedule set forth below.

The administrative order which is being appealed was issued pursuant to Minn. Stat. § 326B.46 (2008). Minn. Stat. § 326B.082, subd. 8, provides that if a person requests a hearing in order to appeal the administrative order, the hearing shall be held pursuant an expedited administrative hearing process, contained in Minn. R. 1400.8510 to 1400.8612. These are the rules which will govern the conduct of this appeal. Copies of the above-referenced statutes and rules may be obtained from Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155, telephone: 651-297-3000. Statutes and rules may also be found at county law libraries and many other public libraries in the State. The statutes may also be found using the Internet at [www.revisor.leg.state.mn.us/stats/](http://www.revisor.leg.state.mn.us/stats/). The rules may be found at [www.revisor.leg.state.mn.us/arule/](http://www.revisor.leg.state.mn.us/arule/).

**IF THE MATTER IS NOT RESOVED AT THE PREHEARING CONFERENCE THEN, IT IS HEREBY ORDERED THAT:**

1. By 4:30 p.m. on **Thursday, September 3, 2009**, each party will file and serve copies of the pre-labeled exhibits that it proposes to offer into the hearing record. The Department of Labor and Industry shall label its exhibits sequentially using numbers. Songer Plumbing shall label its exhibits sequentially using letters.
2. By 4:30 p.m. on **Thursday, September 3, 2009**, each party will file and serve a list of the witnesses that it intends to call at the evidentiary hearing.
3. By 4:30 p.m. on **Thursday, September 10, 2009**, the parties will file and serve a statement (under Minn. R. 1400.6950 (2)) detailing any objection to the foundation of a written exhibit.
4. A hearing in this matter will be held at the Heritage Room, 2<sup>nd</sup> Floor, Winona City Hall, 207 Lafayette, Winona, Minnesota 55987, on **Monday, September 14, 2009**, beginning at 10:00 a.m.

Dated: July 29, 2009

s/Manuel J. Cervantes  
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MANUEL J. CERVANTES  
Administrative Law Judge