

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE DEPARTMENT OF LABOR AND INDUSTRY

Steve Sviggum, Commissioner,  
Department of Labor and Industry,

**FIRST PREHEARING ORDER**

v.

M.A. Mortenson Company,

This matter came before Administrative Law Judge Eric L. Lipman for a Pre-Hearing Conference on December 18, 2008. Based upon the submissions of the parties,

**IT IS HEREBY ORDERED:**

1. By 4:30 p.m. on **Monday, March 16, 2009**, the parties shall file and serve statements identifying any person whom they expect to call as an expert witness; including a summary of the facts and opinions as to which the designated expert is expected to testify.
2. The period for discovery shall close on **Friday, May 1, 2009**.
3. The deadline for filing and service of any dispositive motion shall close at 4:30 p.m. on **Friday, May 15, 2009**.
4. By 4:30 p.m. on **Monday, June 22, 2009**, each party will file and serve copies of the pre-labeled exhibits that it proposes to offer into the hearing record. The Department shall label its exhibits sequentially using numbers from 1 to 199. Respondent, M.A. Mortenson Companies, Inc., shall label its exhibits sequentially using numbers from 200 to 399.
5. By 4:30 p.m. on **Monday, June 22, 2009**, each party will file and serve a list of the witnesses that it intends to call at the evidentiary hearing.
6. By 4:30 p.m. on **Wednesday, June 24, 2009**, the parties will file and serve a statement (under Minnesota Rule 1400.6950 (2)) detailing any objection to the foundation of a written exhibit.

7. An evidentiary hearing in this matter will be held at the Saint Paul office of the Office of Administrative Hearings on **Monday, June 29, 2009**, beginning at 9:30 a.m., and will proceed on successive days through **Wednesday, July 1, 2009**.

Dated: December 31, 2008

/s/ Eric L. Lipman

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ERIC L. LIPMAN  
Administrative Law Judge