

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE DEPARTMENT OF LABOR AND INDUSTRY

Steve Sviggum, Commissioner,
Department of Labor and Industry,

v.

FIRST PREHEARING ORDER

Energy Maintenance Services, LLC

This matter came before Administrative Law Judge Eric L. Lipman for a Pre-Hearing Conference on December 15, 2008. Based upon the submissions of the parties,

IT IS HEREBY ORDERED:

1. The period for discovery shall close on **Friday, April 17, 2009**.
2. The deadline for filing and service of any dispositive motion shall close at 4:30 p.m. on **Friday, April 17, 2009**.
3. By 4:30 p.m. on **Wednesday, April 29, 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, Energy Maintenance Services, shall label its exhibits sequentially using numbers from 200 to 399.
4. By 4:30 p.m. on **Wednesday, April 29, 2009**, each party will file and serve a list of the witnesses that it intends to call at the evidentiary hearing.
5. By 4:30 p.m. on **Friday, May 1, 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.
6. An evidentiary hearing in this matter will be held at the Saint Paul office of the Office of Administrative Hearings on **Wednesday, May 6, 2009**, beginning at 9:30 a.m., and will proceed on successive days through **Friday, May 8, 2009**.

7. The Department shall conclude its case-in-chief by 12:30 p.m. on **Thursday, May 7, 2009.**

Dated: December 16, 2008

/S/ Eric L. Lipman

ERIC L. LIPMAN
Administrative Law Judge