

August 13, 2009

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RE: Steve Sviggum, Commissioner, Department of Labor and Industry,
Complainant v. Kraus-Anderson Construction Co., Respondent;
OAH Docket Nos. 11-1901-20583-2 and 11-1901-20584-2

Dear Counsel:

This letter will confirm the discussions that occurred during the telephone prehearing conference held on July 29, 2009, and constitutes the First Prehearing Order in these two contested case proceedings. Although we are planning to hold separate hearings in each of these cases on December 9 and 10, 2009, the following schedule will govern both cases:

1. All discovery in these matters shall be completed by November 16, 2009.
2. By November 25, 2009, the parties shall exchange proposed exhibit and witness 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.
3. By December 2, 2009, the parties shall notify the Administrative Law Judge whether they will require the services of a court reporter at the hearings. If no court reporter is requested, the hearings shall be digitally recorded.
4. The hearing in Docket No. 11-1901-20583-2 shall commence on Wednesday, December 9, 2009, at 9:30 a.m. in the courtrooms of the Office of Administrative Hearings, which are located on the first floor of the Stassen

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Building, 600 North Robert Street, St. Paul. The hearing in Docket No. 11-1901-20584-2 shall commence in the same location on Thursday, December 10, 2009, at 9:30 a.m.

5. The parties shall appear at the hearings with at least three copies of each document they plan to offer into evidence. Exhibits shall be premarked by the parties using Arabic numbers.

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

Sincerely,

s/Barbara L. Neilson

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

cc: Docket Coordinator