

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of Ross Construction, Inc.

FIRST PREHEARING ORDER

A prehearing conference was held via telephone in the above-captioned matter on February 10, 2006. Michael J. Tostengard, Assistant Attorney General, 445 Minnesota Street, Suite 1200, St. Paul, MN 55101-2130, appeared on behalf of the Department of Labor and Industry. Daniel Cunningham, Attorney at Law, 17824 Cobblestone Way, Eden Prairie, MN 55347, appeared on behalf of the Respondent, Ross Construction, Inc.

Based upon discussions with counsel during the prehearing conference, IT IS HEREBY ORDERED as follows:

1. All discovery in this matter shall be completed by March 30, 2006.
2. Counsel shall exchange and file proposed exhibit and witness lists by March 30, 2006. The witness lists shall include a brief summary of the expected testimony of each witness.
3. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits.
4. The hearing in this matter shall commence at 9:30 a.m. on April 13, 2006, at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota 55401. The hearing will be tape-recorded unless the parties notify the Administrative Law Judge by April 6, 2006, that they will require the services of a court reporter at the hearing.
5. The parties shall appear at the hearing with at least three copies of each exhibit they plan to offer into evidence. Exhibits shall be pre-marked using Arabic numbers without designation of the party offering the exhibit.

Dated: February 21, 2006.

s/Barbara L. Neilson
BARBARA L. NEILSON

Administrative Law Judge