

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

In the Matter of Nest Builders, LLC

PREHEARING ORDER

A prehearing conference was held on March 20, 2008, at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, MN. 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. Lawrence Allar, Nest Builders, LLC, 4525 Perry Avenue North, Robbinsdale, MN 55422, appeared by telephone on his own behalf.

The Respondent denies the claims made against him and has provided information to the Department to consider in this matter. The Department has agreed to review the information and is willing to engage in settlement discussion.

IT IS HEREBY ORDERED:

1. This matter is scheduled for hearing on **June 11, 2008**, commencing at **9:30 a.m.** at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, MN. In the event that the Respondent is not available on that date, he shall immediately notify the Administrative Law Judge and the Department's counsel.

2. The parties shall exchange proposed written exhibits and witness lists, and file an index of exhibits and a copy of the witness list with this office by **June 4, 2008**. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.

3. Hearings are ordinarily digitally recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **June 4, 2008**. See Minn. R. 1400.7400, subp. 2.

4. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served

on the other parties. A subpoena request form is available at www.oah.state.mn.us.

5. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

6. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 21st day of March 2007.

s/Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge