

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

In Re the Application for the Continuation of
Total and Permanent Disability Benefits of
Darrin K. Nygaard

SCHEDULING ORDER

The above-entitled matter came before Administrative Law Judge Manuel J. Cervantes (ALJ) on a Notice of a Fact Finding Conference, filed August 26, 2010. Rory H. Foley, Assistant Attorney General, represents the Public Employees Retirement Association of Minnesota (PERA). Darrin K. Nygaard (Respondent) represents himself.

I am enclosing some information for Mr. Nygaard from the Office of Administrative Hearings website (*Contested Case Hearing Preparation and How to Be a Good Witness*) to help him prepare for the hearing. There is information in the *Contested Case Hearing Preparation* document on how to contact the Volunteer Lawyers Network concerning possible legal representation.

IT IS HEREBY ORDERED:

1. By 4:30 p.m. on **Friday, October 1, 2010**, each party will file and serve copies of pre-labeled exhibits that it proposes to offer into the conference record. PERA shall label its exhibits sequentially using numbers. The Respondent shall label his exhibits sequentially using letters.
2. By 4:30 p.m. on **Friday, October 1, 2010**, each party will file and serve a list of the witnesses that it intends to call at the conference, including a short summary of the proposed testimony.
3. By 4:30 p.m. on **Wednesday, October 6, 2010**, the parties will file and serve a statement (under Minn. R. 1400.6950 (2)) detailing any objection to the foundation of any written exhibit.
4. A conference in this matter will be held in the Mississippi Room of the Monticello City Hall, 505 Walnut Street, Monticello, MN on **Tuesday, October 12, 2010**, beginning at 10:00 a.m.

Dated: September 14, 2010

s/Manuel J. Cervantes
MANUEL J. CERVANTES
Administrative Law Judge