

FILED

SEP 21 2010

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

**Jim Ruby, Executive Secretary
Environmental Quality Council**

In the Matter of the Appeal)
and Petition for Review of:)
The Denial of a Beneficial Use Exemption)
For Milne Development Corporation for)
Elton Court in Natrona County)
Under Chapter 1 Section 1(1)(xxi) of the)
Solid Waste Rules and Regulations)

DOCKET NO. 10-5601

AMENDED ORDER OF SCHEDULE

A Scheduling Conference for the above entitled matter was held on the 15th day of September, 2010 at 1:30 a.m. Councilwoman Cathy Guschewsky presided. Present on behalf of the Department of Environmental Quality was Mike Barrash, from the Attorney General's office. Appearing on behalf of the Petitioner, Milne Development Corporation, was Mary Throne. James Ruby, Executive Secretary for the Council and Joe Girardin, the Council Paralegal were also present.

On September 17th, 2010 counsel for the Petitioner, via email, requested a change to the hearing date from January 6, 2010 to January 13, 2010. On September 20, 2010 counsel for the Department, via email, consented to the change of date. There being no objection the Order of Schedule is hereby amended and is as follows.

1. Deadline for naming of expert witnesses by the Petitioner is November 15th, 2010.
The Department shall name any expert witnesses by November 30th, 2010.
2. Deadline for Discovery is December 20th, 2010.
3. The pre-hearing conference will be held at 1:30 p.m. on January 4th, 2011 at the offices of the Council in Cheyenne Wyoming. No later than December 30th, 2010 the

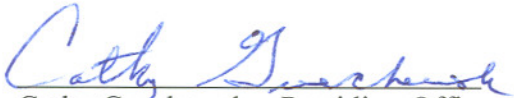
Parties shall deliver to each other and to the Council their prehearing memorandum, any pretrial motions and shall identify all exhibits and witnesses to be used or called at the time of the hearing.

4. The date for the hearing on this matter will be at 9:00 a.m. **January 13th, 2010.**
5. The duration of the hearing is one day.

All documents shall be delivered no later than 12:00 noon on the above referenced dates. For the purpose of this order, deliver shall mean that the recipient has the pertinent documents in hand. Delivery does not mean that the documents were placed in the mail or with a delivery service. The parties may deliver documents via fax or e-mail, if prior arrangements have been made with the recipients and the original is mailed at the same time.

The parties shall have ten days from the date of receipt of this Order to file any objections to this Scheduling Order.

SO ORDERED this 20th day of September, 2010.


Cathy Guschewsky, Presiding Officer
Environmental Quality Council
122 W. 25th, Rm.1714
Herschler Bldg.,
Cheyenne, WY 82002
Phone: 307-777-7170
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CERTIFICATE OF SERVICE

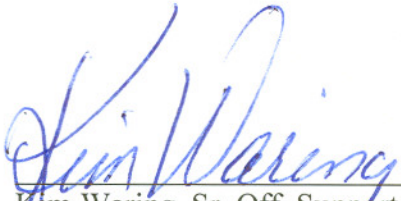
I, Kim Waring, certify that at Cheyenne, Wyoming, on the 21st day of September, 2010, I served a copy of the foregoing **AMENDED ORDER OF SCHEDULE** by electronic mail to the following:

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