

FILED

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL OCT 28 2013
STATE OF WYOMING

Jim Ruby, Executive Secretary
Environmental Quality Council

IN RE LINC ENERGY OPERATIONS, Inc.)

DOCKET NO. 13-4804

ORDER OF SCHEDULE

1. A short pre-hearing conference was held in this matter to discuss the time frame for discovery, possible hearing dates, and the time the Parties estimate they will need to present their case. The conference was conducted on Monday October 28th, 2013 at 8:15 a.m. via telephone conference call. Present were Shannon Anderson on behalf of Powder River Basin Resource Council (PRBRC), Jeremiah Williamson on behalf of the Department of Environmental Quality (DEQ) and Bruce Salzburg and Cole Hayduk on behalf of Linc Energy (Linc). Also present were Nancy Nuttbrock and Mark Rogaczewski from the Land Quality Division of the DEQ, James Ruby, Executive Secretary for the Council, John Knepper from the Attorney General's Office and Joe Girardin, the paralegal for the Council.
2. The final hearing will begin on November 14, 2013, at 9:00 a.m. The final hearing will be held in Room B-63 of the Herschler Building, Cheyenne, Wyoming.
3. All requests for discovery shall be served by November 6, 2013. Responses to discovery shall be completed no later than November 11, 2013. The deadline for depositions will be November 12, 2013.
4. Disclosure of expert witnesses shall comply with Rule 26 of the Wyoming Rules of Civil Procedure and shall occur no later than 5:00 p.m., November 1, 2013, except that the Parties have agreed that the likely witnesses identified at the Scheduling Conference need not submit an expert report pursuant to Wyo. R. Civ. P. 26(a)(2)(B).
5. Dispositive Motions shall be filed by 12:00 noon on November 8, 2013. Responses to Dispositive Motions shall be filed by 5:00 p.m. on November 12, 2013. The Council will hold a hearing for argument on any Dispositive Motions on November 14, 2013, prior to the final hearing.
6. The Parties shall exchange final witness lists and exhibit lists by November 6, 2013. The witness lists shall include identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony. DEQ shall identify their exhibits as "DEQ 1,2,3" etc. The Petitioner shall identify their exhibits as "PRBRC 1,2,3" etc. Linc Energy shall identify their exhibits as "Linc 1,2,3" etc. Exhibits shall be provided to the Council in both paper and digital format.
7. All the parties have waived the statutory requirement that the Council hold the hearing within 20 days of the close of comments and agreed that the hearing shall commence on


November 14, 2013.

IT IS HEREBY ORDERED THAT:

1. All parties shall appear in Cheyenne, Wyoming at 9:00 a.m. on November 14, 2013 for final hearing in this matter. The hearing will be held in room B-63 of the Herschler Building, Cheyenne WY. Failure to appear at the hearing may result in dismissal from this case.
3. A court reporter will transcribe the hearing.

DATED this 28th day of October, 2013.



David Searle, Presiding Officer
Environmental Quality Council 

CERTIFICATE OF SERVICE

I, Tyffanne Rowan, certify that at Cheyenne, Wyoming, on the 28th day of October, 2013, I served a copy of the foregoing ORDER OF SCHEDULE by electronic mail to the following:

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