

FILED

DEC 14 2011

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

*Jim Ruby, Executive Secretary
Environmental Quality Council*

**In the Matter of the Appeal of the Notice Of)
Violation and Order Issued To:)
RAM Trucking, Inc.)
P.O. Box 20382)
Cheyenne, WY 82003)**

Docket No. 11-5213A

ORDER OF SCHEDULE

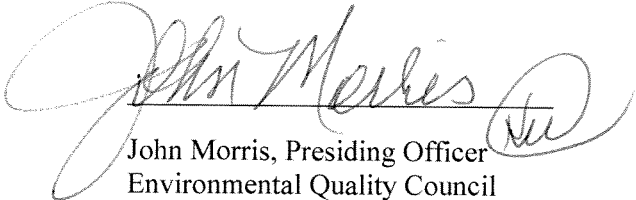
1. A prehearing conference in this matter was held on Wednesday, December 14th, 2011 at 9:00 a.m. via telephone conference call. Presiding was Councilman John Morris. The hearing was transcribed by a court reporter. Present on behalf of the Petitioner was John Burbridge. Present on behalf of the Department of Environmental Quality (DEQ) was Senior Assistant Attorney General Mike Barrash. Also present for the Council was Senior Assistant Attorney General John Knepper, Joe Girardin, of the Council staff and Jim Ruby, Executive Secretary of the Council.
2. The final hearing will begin on May 11th, 2012 at 8:00 a.m. The final hearing will be held in Sheridan, Wyoming. The exact location will be decided at a later date.
3. All discovery, both written and oral, shall be completed by 12:00 noon on or before March 14th, 2012.
4. Disclosure of expert witnesses shall comply with Rule 26 of the Supreme Court Rules of Civil Procedure and shall occur no later than 5:00 p.m. January 11, 2012.
5. Dispositive Motions shall be filed by 12:00 noon on April 2, 2012. Responses to Dispositive Motions shall be filed by 12:00 noon on April 18, 2012. The Council will hold a teleconference call for argument on any Dispositive Motions on May 1st, 2012 prior to the prehearing conference.
6. The Parties shall exchange final witness lists and exhibit lists by April 26th, 2012 at 12:00 noon Mountain Time. 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 RAM 1,2,3 etc.
7. A prehearing conference in this matter will be conducted on May 1, 2012 via telephone conference call following oral arguments, if any, on dispositive motions. The parties shall inform the EQC office of a direct telephone number and if possible an email address where they can be reached for the prehearing on or before 9:00 a.m. April 26, 2012. Failure to appear at the prehearing conference may result in dismissal from this case.
8. The purpose of the prehearing conference is:
 - a. Identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony;

- b. Clarification of the legal issues, both substantive and procedural, of all the parties, including identification of the statutory provisions and regulations that form the basis of the appeal;
- c. Stipulation to uncontested facts;
- d. Examination and marking of proposed exhibits and entering into stipulations to the foundation and admissibility of the exhibits and testimony; and

IT IS HEREBY ORDERED THAT:

- 1. All Parties shall appear for a prehearing conference in this matter on May 1, 2012, via telephone conference call. The exact time will be set at a later date. Failure to appear at the prehearing conference may result in dismissal from this case.
- 2. All parties shall appear in Sheridan, Wyoming at 8:00 a.m. on May 11, 2012 for final hearing in this matter. The exact location shall be determined at a later date. Failure to appear at the hearing may result in dismissal from this case.
- 3. A court reporter will transcribe the hearing.

DATED this 14thth day of December, 2011.


John Morris, Presiding Officer
Environmental Quality Council

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 14th day of December, 2011, I served a copy of the foregoing ORDER OF SCHEDULE by electronic mail to the following:

Carl Anderson
DEQ, SHWD - Administrator
carl.anderson@wyo.gov

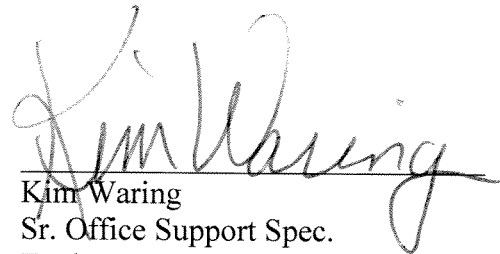
John Burbridge
Attorney for RAM Trucking, Inc.
burbridgelaw@hotmail.com

John Corra
Director, DEQ
john.corra@wyo.gov

Mike Barrash
Assistant Attorney General
Mike.barrash@wyo.gov

also by depositing the same in the United States mail addressed to:

Mr. Rick Fierro
RAM Trucking, Inc.
P.O. Box 20382
Cheyenne, WY 82003



Kim Waring
Sr. Office Support Spec.
Environmental Quality Council
122 W. 25th, Rm. 1714
Herschler Bldg.
Cheyenne, WY 82002
Phone: 307-777-7170
FAX: 307-777-6134