

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE TOWN OF)
WHEATLAND WASTEWATER STORAGE) Docket No. 05-3801
AND LAND APPLICATION)

MOTION TO SET DEADLINE FOR DESIGNATION OF EXPERTS

Respondent Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD), through counsel, pursuant to Chapter II, Section 3 of the DEQ Rules of Practice & Procedure moves the Environmental Quality Council (Council) to enter an order setting a deadline for designation of expert witnesses in the above-captioned matter. The grounds for this motion are as follows:

1. At the prehearing scheduling conference held on February 21, 2006, the discovery cut-off date was set as May 15, 2006, and the deadline for exchanging witness and exhibit lists was set as May 24, 2006.
2. Parties may need the opportunity to depose expert witnesses in preparation for the hearing. Although identification of experts can be requested through interrogatories, written discovery must be completed on or before May 15th, and there is no obligation to designate experts before May 24th.
3. As a practical matter, there should be a deadline for the parties to designate their expert witnesses that will allow the other parties adequate time to discover the nature of such experts' proposed testimony through interrogatories and/or depositions.

THEREFORE, Respondent DEQ respectfully requests that the Council issue an order requiring parties to file and serve a designation of expert witnesses not later than April 7, 2006.

DATED this 23rd day of February, 2006.
FILED FEBRUARY 23, 2006

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CERTIFICATE OF SERVICE

True and correct copies of the foregoing MOTION TO SET DEADLINE FOR DESIGNATION OF EXPERTS were served by United States mail, first class postage prepaid, this 23rd day of February, 2006, addressed as follows:

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