

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

DEC 06 2007

IN THE MATTER OF THE APPEAL OF )  
PERMIT NO. WY 0055158 )  
THE TERMO COMPANY )

Terri A. Lorenzon, Director  
Environmental Quality Council  
Docket No. 07-3615

**SCHEDULING CONFERENCE ORDER**

THIS Order arises out of the scheduling conference conducted by Richard Moore, presiding officer, and Deborah Baumer, hearing examiner, for the Environmental Quality Council, on December 3, 2007.

**1. Scheduling.**

(a) The following schedule is set in this matter:

- (1) Expert designations and reports shall be made by February 20, 2008.
- (2) All discovery, both written and oral, shall be completed by April 21, 2008.
- (3) Dispositive motions shall be filed and delivered on or before May 5, 2008.
- (4) Replies to dispositive motions, pre-hearing memorandums and three copies of all exhibits shall be filed with the Council and delivered to all parties on or before May 14, 2008.
- (5) Oral argument on dispositive motions and the pre-hearing conference is set for May 20, 2008 at 1:00 p.m., in Cheyenne, Wyoming. The exact location of the hearing will be determined later. Each party will have ten minutes for oral argument. The purpose of the pre-hearing conference is to:

- a. Clarify the issues

b. Stipulate to facts

c. Examine and discuss the proposed exhibits and enter into stipulations to the foundation and admissibility of the exhibits.

d. Identify witnesses and the substance of their proposed testimony.

(6) Hearing is set for May 28–29, 2008 in Casper, Wyoming. The exact location and time of the hearing will be determined later.

(b) All documents shall be delivered no later than 4:00 p.m. on the above referenced date. For the purposes of this order, delivery 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 the original is mailed at the same time.

## 2. Objections to Scheduling Conference Order.

The parties shall have ten days from the date of service to serve and file any objections to this Scheduling Conference Order.

SO ORDERED this 14<sup>th</sup> day of December, 2007.

  
Richard C. Moore, Presiding Officer  
Environmental Quality Council

## CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 6<sup>th</sup> day of December, 2007, I served a copy of the foregoing **SCHEDULING CONFERENCE ORDER** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to;

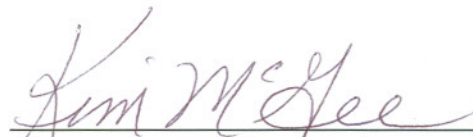
Mary A. Throne  
Hickey & Evans  
1800 Carey Ave., Suite 700  
Cheyenne, WY 82001

also to the following persons via interoffice mail:

Mike Barrash  
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