

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

**FILED**

APR 01 2009

Jim Ruby, Executive Secretary  
Environmental Quality Council

**IN THE MATTER OF THE NOTICE OF VIOLATION AND ORDER ISSUED TO:** )

) **Docket No. 08-3601**

**Dale Ruby and JM Land & Developing Company, 2901 Four J Road, Gillette Wyoming 82718** )

**ORDER**

A short pre-hearing conference will be held in this matter to discuss time frame for discovery, possible hearing dates and time needed for the Parties to present their case. The conference will be conducted on Monday, April 20, 2009 at 4:00 p.m. via telephone conference call. The parties should provide the EQC office with a telephone number where they can be reached for the pre-hearing on or before April 15, 2009. Failure to appear at the pre-hearing conference may result in dismissal from this case.

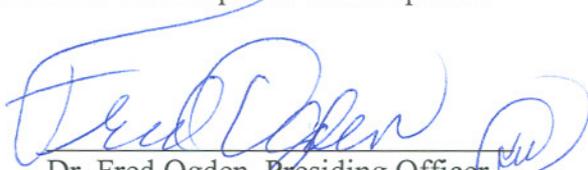
In accordance with the DEQ Rules of Practice and Procedure, Chapter 1, Section 6, "Unless otherwise agreed to by the parties and consented to by the Council, all hearings, including all testimony, shall be reported verbatim by a competent reporter. The compensation of such reporter shall be paid as required by law and as ordered by the Council. The Council may direct any party or parties to assume the cost of the transcript." If the Parties do not file a waiver to this section, the Parties should equally pay the costs of the transcript.

The Presiding Officer having reviewed the record and being fully advised in the premises,

**IT IS HEREBY ORDERED**

1. The Parties shall appear for a short pre-hearing conference in this matter that will be conducted on Monday, April 20, 2009 at 4:00 p.m. via telephone conference call. The parties shall inform the EQC office of a telephone number where they can be reached for the pre-hearing on or before April 15, 2009. Failure to appear at the pre-hearing conference will result in dismissal from this case.
2. If the Parties have not filed a waiver on or before April 15, 2009 a court reporter will transcribe the hearing.
3. Each party shall assume one half of the cost of the transcript and court reporter.

**DATED** this 15<sup>th</sup> day of April, 2009.

  
Dr. Fred Ogden, Presiding Officer  
Environmental Quality Council

**CERTIFICATE OF SERVICE**

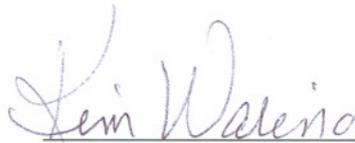
I, Kim Waring, certify that at Cheyenne, Wyoming, on the 1<sup>st</sup> day of April, 2009, I served a copy of the foregoing **ORDER** by electronic mail to the following:

Mike Barrash  
Office of Attorney General  
[mbarra@state.wy.us](mailto:mbarra@state.wy.us)

John Corra  
Director, DEQ  
[jcorra@wyo.gov](mailto:jcorra@wyo.gov)

by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to;

Randall T. Cox  
400 South Kendrick St., Ste. 101  
Gillette, WY 82716



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Kim Waring, Executive Assistant  
Environmental Quality Council  
122 W. 25<sup>th</sup>, Rm. 1714  
Herschler Bldg.  
Cheyenne, WY 82002  
Phone: 307-777-7170  
FAX: 307-777-6134