

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

FILED

JUN 11 2009

*Jim Ruby, Executive Secretary
Environmental Quality Council*

**IN THE MATTER OF THE NOTICE OF
VIOLATION ISSUED TO:**

DOCKET NO. 09-3212A

**Robert Senitte, President
Painter Estates Homeowners Association
P.O. Box 2967
Cody, WY 82414**

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, June 22, 2009 at 1:30 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 June 17, 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 Tuesday, June 22, 2009 at 1:30 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 June 17, 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 June 17, 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 11th day of June, 2009.


Tim Flitner, Presiding Officer
Environmental Quality Council

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 11th day of June, 2009, I served a copy of the foregoing **ORDER** by electronic mail to the following:

John Corra
Director, DEQ
jcorra@wyo.gov

Mike Barrash
Asst. Attorney General
mbarra@state.wy.us

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

Doc Asay
10728 East Platte River Road
Evansville, WY 82636



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