

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

IN RE BROOK MINE APPLICATION)
)
) **DOCKET 16-1601**
)

ORDER OF SCHEDULE

On April 20, 2016 the parties appeared for a pre-hearing scheduling conference in this matter at 1:30 p.m. via telephone conference call in the Board of Equalization Board Room in the Herschler Building, 122 West 25th St. Cheyenne, Wyoming. Councilman Aaron Clark was the hearing officer. Present at the hearing was Isaac Sutphin, Jeff Pope and Tom Sansonetti, counsel for the Petitioner, Lynn Boomgaarden, Maria-Nicolle Beringer and Michael Klein for the Respondent, Big Horn Coal, Hal Corbett and Mistee Elliott for the Respondent Padlock Ranches and Jim Ruby and Joe Girardin council staff. The hearing was recorded by a court reporter.

After review of the pleadings and discussion with the parties the following schedule is ordered for the above entitled matter.

1. The final hearing will be August 16 and/or 17, 2016. The exact location and start time to be determined at a later date.
2. The deadline for requests for discovery, other than depositions, is May 17, 2016. Responses to discovery requests should be completed no later than June 3, 2016. A list of all witnesses, not including rebuttal witnesses, and the substance of their testimony must be designated no later than June 3, 2016. While this Order does not set a last day for depositions due to the short timeline the parties are encouraged not to delay in any discovery or depositions. Any requests for continuances based upon failure to timely complete discovery or depositions before the deadlines or the final hearing will be denied absent good cause shown.

3. Any motions including, but not limited to Motion to Dismiss, Motion for Summary Judgment, Motion to Make More Definite and Certain shall be filed no later than May 23, 2016 with responses filed no later than June 10th, 2016. The hearing on any motions will be at 1:30 p.m. June 15, 2016 at 125 W. College Drive, Strausner Hall, Room 217, Casper WY 82601.
4. Exhibits and a list of witnesses and the substance of their testimony to be called at the time of the final hearing will be filed by each party by August 1st, 2016.
5. The Petitioners shall number their exhibits Brook 1,2,3,4. Big Horn Coal shall number their Exhibits BHC 1,2,3,4 etc. Padlock Ranch shall number their Exhibits Padlock 1,2,3,4 etc.
6. All filings including exhibits and lists of witnesses may be filed electronically on the Council website located at <https://eqc.wyo.gov/> and one hard copy delivered to the offices of the Council at 122 West 25th St. Room 1714 Herschler Building, Cheyenne WY 82002. If you have any problems loading documents on the online docket system call Joe Girardin at 307-777-6454 or Jim Ruby at 307-777-7260 for assistance. If a document cannot be uploaded than the party should file 8 copies of the document with the Council at their offices in Cheyenne.
7. Any reference to a deadline for filing shall be no later than 5:00 p.m. of the date identified as the date for filing.

So Ordered this 20th day of April, 2016.



Aaron Clark, Hearing Examiner
Environmental Quality Council 

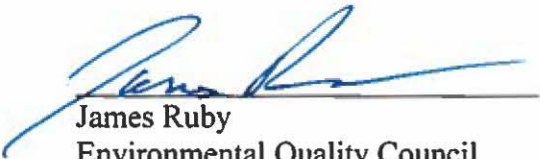
CERTIFICATE OF SERVICE

I, James Ruby, certify that at Cheyenne, Wyoming, on the 1st day of April, 2016, I served a copy of the foregoing Order of Schedule by U.S. Mail First Class postage prepaid to the following:

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