

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

IN RE ALCHEM MINE APPLICATION                    )  
  )  
  )  
  )         **DOCKET 16-1602**

**ORDER OF SCHEDULE**

On October 13, 2016 the parties appeared for a pre-hearing scheduling conference in this matter at 10:00 a.m. via telephone conference call in the Board of Equalization Board Room in the Herschler Building, 122 West 25<sup>th</sup> St. Cheyenne, Wyoming. Chairman Dr. Dave Bagley was the hearing officer. Present at the hearing was Dale Cottam and Ron Lopez, counsel for the Petitioner and Mack Richardson and Rick Couch employees of the Petitioner. Sage Hilstad was present representing the respondents Gary Hodges, Richard Hodges and James Hodges. Present on behalf of the estate executrix Kimberlee Curry was John Aimone. Present on behalf of Ian Hodges was Patricia Hodges. Debra Barger was present on her own behalf. Not present were Kimberlee Hodges Bray, Garrett Hodges and Clayton Hodges. Also present were council staff Jim Ruby and Joe Girardin.

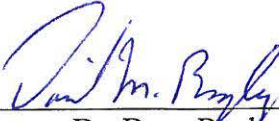
After review of the pleadings and discussion with the parties the following schedule is ordered for the above entitled matter.

1. The final hearing will begin at 2:00 p.m. on November 17, 2016 and if necessary will carry over to November 18, 2016. The hearing will be held in room 1699, Herschler Building, Cheyenne WY 82002.
2. The deadline for requests for discovery, other than depositions, is October 28, 2016. Responses to discovery requests should be completed no later than November 11, 2016. A list of all witnesses, not including rebuttal witnesses, and the substance of their testimony must be designated no later than November 15, 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 November 14, 2016 with responses filed no later than 2:00 p.m. November 17, 2016. The hearing on any motions will be at 2:00 p.m. November 17, 2016 prior to the final hearing in this matter.
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 November 15, 2016.
5. 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 25<sup>th</sup> St. Room 1714 Herschler Building, Cheyenne WY 82002. If you have any problems loading documents on the online docket system call Joe Girardin at 307-777-7170 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.
6. 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 13th day of October, 2016.

  
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Chairman Dr. Dave Bagley, Hearing Examiner  
Environmental Quality Council