

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

In the Matter of the Appeal) **Docket No. 17-4201A**
Of Notice of Violation and Order)
Issued to Good Bentonite Company, LLC) **ORDER FOR HEARING AND**
) **RESPONSE ORDER**

A short pre-hearing conference was held in this matter on July 24, 2017 at 1:30 p.m.. Deborah Baumer, Presiding Officer, appeared in person. The Department of Environmental Quality (DEQ) appeared in person by and through Andrew Kuhlmann and Alan Edwards. Good Bentonite Company, LLC appeared telephonically by and through Brian Good. Also, present for the Council were Jim Ruby and Joe Girardin.

IT IS HEREBY ORDERED

1. That the final hearing in this matter will be held on December 6, 2017 at 9:00 a.m. in Room 1699, 1st Floor Herschler West, 122 West 25th St., Cheyenne WY.
2. Good Bentonite Company LLC agreed to file a response to the DEQ Motion for a More Definite Statement of the Grounds for Appeal by July 25, 2017.
3. Discovery in this case shall be concluded on or before October 13, 2017.
4. All dispositive motions shall be filed by October 30, 2017 and responses to the motion(s) shall be filed by November 6, 2017.
5. A telephonic prehearing conference will be held on November 27, 2017 at 9:00 a.m.. The parties shall provide their contact number to the Council staff by November 23, 2017.
6. On or before November 20, 2017, the parties shall file a Disclosure Statement, including the following, with the Environmental Quality Council and serve copies upon the parties setting forth:
 - a. A complete list of all witnesses who will or may testify, together with information on how that witness may be contacted and a brief description of the testimony the witness is expected to give in the case. If a deposition is to be offered into evidence, the original shall be filed with the Environmental Quality Council, with a copy provided to the parties along with other disclosure;
 - b. A statement of the specific claims, defenses, and issues which the party asserts are presently before the Council; and
 - c. A complete list and copies of all documents, statements, etc. which the party will or may introduce into evidence at the hearing. Final Exhibits filed with the Council should be filed online with at least one paper copy brought to the final hearing to be included in the record by the court reporter. You should enter your exhibits prior to placing identification labels on the exhibit. The online docket system will label your exhibits as they are entered. You should then label your paper copies with the same identification label. When entering exhibits make sure to check the "Final Exhibit" not the "Pleading Exhibit" box. Contact Joe Girardin regarding any questions on using the online system. His number is 777-7170 and his email is joe.girardin@wyo.gov

7. Failure to file a prehearing disclosure statement may result in the presiding officer's striking of witnesses, exhibits, claims and defenses, or dismissal of the contested case.
8. The parties have stipulated to email service, as well as a hard copy of the disclosure statement and exhibits to be mailed to the Council.

DATED this 27th day of July 2017.

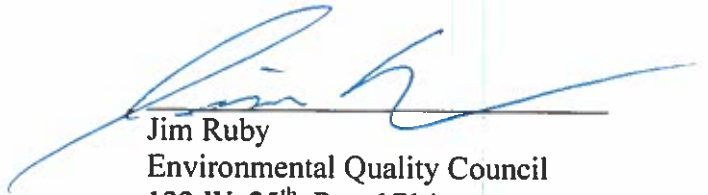

Deb Baumer, Presiding Officer
Environmental Quality Council 

CERTIFICATE OF SERVICE

I, James Ruby, certify that at Cheyenne, Wyoming, on the 27 th day of July 2017, I served a copy of the foregoing **Scheduling Order by** electronic mail to the following:

Asst. Attorney General
Andrew Kuhlmann
Andrew.kuhlmann@wyo.gov

Brian Good
Petitioner
teamrope@tctwest.net



Jim Ruby
Environmental Quality Council
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