

(4) Set a date for stipulations to be entered, with parties stipulating to the fullest extent possible the issues, undisputed facts, authenticity and admissibility of exhibits, and any and all other matters which will expedite the hearing by reducing formal proof.

(5) Set a date for final hearings or future prehearing conferences. Please be advised that ten (10) days before your final hearing date, you will be ordered to meet with all parties to pre-mark exhibits and agree upon stipulations.

(6) Set dates for filing an amended Petition for Review. You may be required to submit an amendment to your petition if you have filed a Petition for Administrative Review that does NOT conform to the following standard:

- (a.) State the name and address of the person making the request.
- (b.) Identify the interest of the person making the request.
- (c.) Identify any persons represented by the person making the request.
- (d.) State with particularity the reasons for the request.
- (e.) State with particularity the issues proposed for consideration at the hearing.
- (f.) Identify the permit terms and conditions that, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing permits of the type granted or denied by the commissioner's action.

(7) Attorneys not admitted to the Indiana bar, seeking to appear in an administrative proceeding, must comply with the requirements of Rules for Admission to the Bar and the Discipline of Attorneys, Rule 3, Section 2, effective January 1, 2012. This rule requires that the attorney seeking admission petition the Supreme Court of Indiana for temporary admission. The rule specifies the information the petition must contain.

A party who fails to participate in the Prehearing Conference or any other later stage of this proceeding may be held in default or may have the proceeding dismissed. *A party must file all pleadings and documents, excluding discovery, with this office and all parties identified on the Certificate of Service. Failure to do so may result in the judge not considering your pleading.*

The parties have the option of having the prehearing conference conducted by telephone. To do this, the requesting party shall contact the other parties and secure their agreement to conduct the prehearing conference by telephone, then notify the Court *at least one business day in advance of the scheduled prehearing conference*. If a party cannot be reached, advise this office and obtain permission from the assigned judge. The party requesting the telephonic prehearing conference has the obligation of initiating the necessary phone calls; a party should have all the other parties on the telephone before contacting the judge.

OEA's decisions from prior contested cases are available on OEA's website. OEA's website address is: <http://www.in.gov/oea>. The website includes a link to OEA's contested decisions on the DECISIONS page (from 1999 to present, with earlier years being added), and the LINKS page has connections to IDEM, the Indiana Administrative Code, and the Indiana Code.

Information concerning hearing schedules and procedures may be obtained by calling the Office of Environmental Adjudication at (317) 233-0850.

IT IS SO ORDERED this 12th day of March, 2013 in Indianapolis, IN.



Hon. Catherine Gibbs
Environmental Law Judge

DISTRIBUTION

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