

**MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION**

In the Matter of:)	
)	
AA QUARRY LLC)	Proceeding Under
AA Quarry Site # 2462)	The Land Reclamation Act,
Johnson County, Missouri,)	Sections 444.760 – 444.789, RSMo
New Site Permit Application)	
)	
DAVID EARLS, et al,)	
<i>Petitioners,</i>)	
)	
v.)	Permit # 1094
)	
DEPT. OF NATURAL RESOURCES,)	
KEVIN MOHAMMADI,)	
Staff Director,)	
Land Reclamation Program,)	
Division of Environmental Quality,)	
<i>Respondent,</i>)	
)	
AA QUARRY LLC.,)	
<i>Applicant,</i>)	
)	

**ORDER UPON SUBMISSION OF RESPONSES
TO PROPOSED STIPULATIONS OF UNCONTESTED MATERIAL FACTS**

The Hearing Officer is in receipt of the Responses of each party. As soon as possible, the Hearing Officer will issue his conclusion as to the Uncontested Material Facts for a final review and concurrence by each Counsel or any objection.

Counsel for Petitioners has previously requested a conference call prior to any entry of a final stipulation. The Hearing Officer has taken that under advisement and wishes to present his proposed Stipulation of Uncontested Material Facts for review by the parties. Following responses, the Hearing Officer will then address the request of Petitioners’ Counsel.

It is the intention of the Hearing Officer, once a Stipulation has been agreed to, to set deadlines for the filing and exchange of exhibits in advance of the evidentiary hearing, and a finalized list of proposed witnesses.

Parties are reminded of the current existing deadlines:

1. January 8, 2014 – Submission of Exhibits, Offer of Proof List, and Written Direct

Testimony on Petitioners' Offer of Proof.

2. January 23, 2014 – Additional Objections of Applicant and Respondent to the Offer of Proof.
3. February 7, 2014 – Responses to any additional objections.

SO ORDERED: December 10, 2013.

MISSOURI DEPARTMENT OF NATURAL RESOURCES



W. B. Tichenor, DNR – Hearing Officer
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Certification of Service

I hereby certify a copy of foregoing has been sent via email this 10th day of December, 2013, to:

Attorneys:

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W. B. Tichenor
DNR – Hearing Officer