

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

In the Matter of:)	
)	
BUILDEX, INC.,)	LRP Permit No. 0387
New Market Plant Site)	Proceeding Under
Platte County, Missouri)	The Land Reclamation Act,
Permit Expansion Application)	Sections 444.760 through 444.790,
)	RSMo.
CONCERNED CITIZENS)	
OF PLATTE COUNTY,)	
ALAN & PAULA WEBB,)	
KARI KNABE,)	
SUSAN BROWN,)	
JERALD FANSHER,)	
)	
Petitioners,)	
)	
v.)	
)	
LARRY P. COEN,)	
Staff Director,)	
Land Reclamation Program,)	
Division of Environmental Quality,)	
Respondent,)	
)	
BUILDEX, INC,)	
Applicant,)	
)	
)	

**ORDER FOR FILING OF GROUNDS IN OPPOSITION, WITNESS LISTS
AND DISCOVERY STATUS REPORT**

On or before February 11, 2009, Petitioners shall file with the Hearing Officer, copy to Counsel for Respondent and Counsel for Applicant, a summary statement setting forth the grounds in opposition to the issuance of the Applicant’s Permit. The summary statement shall be in sufficient detail as to advise the Hearing Officer of the evidentiary issues Petitioners will be raising at the Formal Public Hearing.

On or before February 11, 2009, each party shall file with the Hearing Officer, copy to each other Counsel, their witness list setting forth a tentative list of witnesses

expected to be called for the party's direct case. The list shall also indicate (1) whether a witness is to testify as a lay or an expert witness, (2) the subject on which the witness will testify, and (3) a summary statement of expected testimony. Each party shall also advise as to the estimated time in hours to present their direct case.

On or before February 11, 2009, each party shall file with the Hearing Officer, copy to each other Counsel, a report on the status of their discovery and advise the Hearing Officer if discovery is complete or the additional amount of time the party estimates necessary to complete discovery.

Certificate of Service

I hereby certify a copy of the foregoing has been sent as an email attachment on this 12th day of January 2009, to:

Charles F. Speer & Tammy R. Dodson, Speer Law Firm, PC, Attorneys for Petitioners, cspeer@speerlawfirm.com; tdodson@speerlawfirm.com

Matthew Briesacher, Assistant Attorney General, Attorney for Respondent, matthew.briesacher@ago.mo.gov

Richard S. Brownlee III & Adam R. Troutwine, Hendren Andrae, LLC, Attorneys for Applicant, richardb@hendrenandrae.com; atroutwine@hendrenandrae.com

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Dana Foster, Assistant to General Counsel – dana.foster@dnr.mo.gov

SO ORDERED January 12, 2009.

MISSOURI DEPARTMENT OF NATURAL RESOURCES



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