

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

In the Matter of:)	
)	
MAGRUDER LIMESTONE CO., INC.)	Proceeding Under
Osage Beach Quarry, Miller County, Mo.,)	The Land Reclamation Act,
<i>Applicant,</i>)	Sections 444.760 – 444.789, RSMo.
)	
LAKE OZARK – OSAGE BEACH)	
JOINT SEWER BOARD, et al)	
<i>Petitioners,</i>)	
)	
v.)	Expansion of Permit # 0086.
)	
LARRY P. COEN,)	
Staff Director,)	
Land Reclamation Program,)	
Division of Environmental Quality,)	
<i>Respondent,</i>)	

ORDER ON EVIDENTIARY HEARING SCHEDULE

Assuming all depositions will be completed and there will be no need to use any of the dates set for trial of this matter to complete depositions, it is the Hearing Officer’s intention to follow this schedule for presentation of the parties’ cases in chief.

If it is determined that presentation of evidence can be completed by the end of day on Friday, May 2nd, without working evenings, we will omit evening schedules.

If depositions are not completed so that parts of one or more days will have to be used for taking of depositions, hearings will be conducted from 9 to noon each day and 6:00 pm – 9:00 pm each evening, except Tuesday and Friday. If presentation of evidence is not completed in the week, the hearing will reconvene at 9:00 am, Friday, May 23 and continue day to day until completed.

Mr. McGovern is to advise the Hearing Officer and other parties in writing or by email correspondence on or before April 18th, of the names of the remaining persons who will be testifying for the Individual Petitioners’ Cases in Chief

Monday, April 28, 2008

9:00 am – 12:00 pm: *Completion of Individual Petitioner’s Cases in Chief.*

Schedule will be adjusted if additional time is required for Mr. McGovern to present his witnesses.

12:30 – 5:00 pm: *Respondent's Case in Chief.*

6:00 pm – 9:00 pm: *Respondent's Case in Chief or Appellant's Case in Chief*

Tuesday, April 29, 2008

Appellant's Case in Chief

9:00 am – 5:00 pm

Wednesday, April 30, 2008

Appellant's Case in Chief

9:00 am – 9:00 pm

Thursday, May 1, 2008

9:00 am – 12:00 pm: *Appellant's Case in Chief*

12:30 pm – 9:00 pm: *Board's Case in Chief*

Friday, May 2, 2008

9:00 am – 5:00 pm

Board's Case in Chief

Certification of Service

The Hearing Officer certifies that he has sent a copy of this Order to the Attorneys of record for Applicant, Joint Sewer Board, McGovern Petitioners and Respondent by email attachment on April 9, 2008.

SO ORDERED: April 9, 2008.

MISSOURI DEPARTMENT OF NATURAL RESOURCES



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