

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

In the Matter of:)	
AA QUARRY, LLC)	
AA Quarry Site # 2462)	Proceeding under
Johnson County, Missouri)	The Land Reclamation Act,
New Site Permit Application)	§§ 444.760 – 444.789 R.S. Mo.
)	
DAVID EARLS, LORI ADAMS,)	
CREIGHTON & DIANE COX,)	
RANDY & CLARA CRAVES,)	
MISTY & DARREN CUTRIGHT,)	
LEEANN & JESS HAMILTON,)	
TAMMY HEIDER, LAURA JONES,)	
BRAND & JESSICA MANTZEY,)	
LAURIE & JAMES MARTIN,)	
JAMES & SUSAN RICHARDS,)	
ROBERT & LIESL SNYDER,)	
TIM STAMM, SCOTT & DIANNE GARD,)	
)	
Petitioners,)	
)	
v.)	
)	
DEPT. OF NATURI RESOURCES,)	
KEVIN MOHAMMADI, Staff Director,)	
Land Reclamation Program, Division)	
Of Environmental Quality,)	
)	
Respondent,)	
)	
AA QUARRY, LLC,)	
)	
Applicant.)	

**MOTION FOR LEAVE TO ALLOW COUNSEL TO ENTER HIS APPEARANCE
ON BEHALF OF CERTAIN *PRO SE* PETITIONERS**

Petitioners David Earls, Misty Cutright, Darren Cutright, LeeAnn Hamilton, Jess Hamilton, Robert Snyder, Liesl Snyder, Laurie Martin, James Martin, Tim Stamm, Creighton Cox, Diane Cox, Tammy Heider, Lori Adams, James Richards, Susan Richards, Scott Gard, Dianne Gard, and Laura Jones (collectively, “**Petitioners**”), through counsel, respectfully request

that the Hearing Officer enter his Order allowing undersigned counsel to enter his appearance on behalf of the Petitioners (the “**Motion**”). In support of the Motion, the Petitioners state and allege as follows:

1. On or before July 9, 2013, counsel for Petitioners was to enter an appearance in this action or each of the Petitioners were to file a pleading stating that he or she would proceed in this action *pro se*.

2. Petitioners desired representation in this action, but counsel that they were interviewing declined representation on the eve of the deadline for counsel to enter an appearance.

3. Petitioners each filed a pleading designating that he or she would proceed in this matter *pro se*.

4. On July 11, 2013, petitioner Robert Snyder contacted the undersigned about legal advice and counsel through this proceeding.

5. Because of prior commitments, the undersigned was unable to meet with Mr. Snyder until July 15, 2013.

6. On July 15, 2013, the Petitioners engaged the undersigned to represent them in this proceeding.

7. Allowing counsel to enter his appearance after the deadline will not prejudice any other parties to this action and will allow Petitioners to proceed with legal representation, which was their desire.

8. Additionally, the Motion is not filed for the purpose of delaying or obstructing the timely disposition of this action.

9. The Hearing Officer entered an Order delaying discovery until after the pre-hearing meeting.

10. In requesting leave to enter his appearance, counsel is not seeking an extension of the August 9, 2013 deadline for Petitioners to file their initial pleading.

11. Counsel's proposed Entry of Appearance is attached to this Motion as **Exhibit A** and incorporated herein.

WHEREFORE, the Petitioners respectfully request that the Hearing Officer enter his Order granting this motion, allowing undersigned counsel to enter his appearance in this proceeding, and for such other and further relief as the Hearing Officer deems just and proper.

Respectfully submitted,

ZEILER LAW FIRM, L.C.

By: 

David L. Zeiler MO #46806
2012 NW South Outer Road
Blue Springs, MO 64015
816-988-7215
877-517-2615 [Toll Free Fax]
dzeiler@zeilerlawfirm.net

ATTORNEY FOR PETITIONERS

CERTIFICATE OF SERVICE

I certify that on July 15, 2013, I served a true and accurate copy of the above via electronic mail on:

W.B. Tichenor, DNR – Hearing Officer
3710 Shadow Glen Court
Columbia, Missouri 4844
wbtichenor@gmail.com


Attorney for Petitioners

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Respondent,)	
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AA QUARRY, LLC,)	
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Applicant.)	

ENTRY OF APPEARANCE AND DESIGNATION OF LEAD COUNSEL

David L. Zeiler of the Zeiler Law Firm, L.C. hereby enters his appearance as attorney of record for Petitioners David Earls, Misty Cutright, Darren Cutright, LeeAnn Hamilton, Jess Hamilton, Robert Snyder, Liesl Snyder, Laurie Martin, James Martin, Tim Stamm, Creighton Cox, Diane Cox, Tammy Heider, Lori Adams, James Richards, Susan Richards, Scott Gard,

Dianne Gard, and Laura Jones (collectively, “**Petitioners**”) in the above-captioned action. All future communications, correspondence, pleadings, and other documents in this matter should be served on David L. Zeiler at the address, fax, or email set forth below.

Respectfully submitted,

ZEILER LAW FIRM, L.C.

By: _____
David L. Zeiler MO #46806
2012 NW South Outer Road
Blue Springs, MO 64015
816-988-7215
877-517-2615 [Toll Free Fax]
dzeiler@zeilerlawfirm.net

ATTORNEY FOR PETITIONERS

CERTIFICATE OF SERVICE

I certify that on _____, 2013, I served a true and accurate copy of the above via electronic mail on:

W.B. Tichenor, DNR – Hearing Officer
3710 Shadow Glen Court
Columbia, Missouri 4844
wbtichenor@gmail.com

Timothy P. Duggan
Assistant Attorney General
P.O. Box 899
Jefferson City, Missouri 65102
Tim.duggan@ago.mo.gov

Attorneys for Respondent

G. Steven Ruprecht
sruprecht@brlawkc.com

Attorneys for Applicant

Daren Eppley
Daren.eppley@ago.mo.gov

Attorneys for Land Reclamation Program

Attorney for Petitioners