

**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)	
)	
<i>DAVID EARLS,</i>)	
<i>CREIGHTON & DIANE COX,</i>)	
<i>SCOTT & DIANNE GARD,</i>)	
<i>TAMMY HEIDER,</i>)	
<i>BRAD & JESSICA MANTZEY,</i>)	
<i>JAMES & SUSAN RICHARDS,</i>)	
<i>ROBERT & LIESL SNYDER,</i>)	
<i>TIM STAMM,</i>)	
<i>Petitioners,</i>)	
)	
<i>LORRI ADAMS,</i>)	
<i>MISTY & DARREN CUTRIGHT,</i>)	
<i>LEEANN & JESS HAMILTON,</i>)	
<i>LAURA JONES,</i>)	
<i>LAURIE & JAME MARTIN,</i>)	
)	
<i>Dismissed 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 GRANTING MOTION OF CERTAIN PETITIONERS TO DISMISS
CLAIMS AND WITHDRAW AND GRANTING MOTION TO WITHDRAW AS
COUNSEL FOR REMAINING PETITIONERS**

Motion to Dismiss Claims and Withdraw

The Motion of Petitioners, Laura Jones, Darren Cutright, Misty Cutright, Jame Martin, Laurie Martin, Lorrie Adams, Jess Hamilton, and LeeAnn Hamilton (collectively, the *Withdrawing Petitioners*), that their claims be dismissed and they be allowed to withdraw as a petitioner of standing in this matter is granted. The individual and collective claims of the Withdrawing Petitioners are dismissed. The Withdrawing Petitioners are stricken as petitioners of standing in this matter.

Motion to Withdraw as Counsel

Motion of David L. Zeiler of the Zeiler Law Firm, L.C. to withdraw as counsel for the following Petitioners in this matter: David Earls, Tim Stamm, Creighton Cox, Diane Cox, Tammy Heider, James Richards, Susan Richards, Scott Gard, Dianne Gard, Brad Mantzey, and Jessica Mantzey (collectively, the *Petitioners*) is granted. The Hearing Officer, *sua sponte*, grants withdrawal as counsel of David L. Zeiler for Petitioners, Robert Snyder and Liesl Snyder.

Robert Snyder and Liesl Snyder are given until and including December 23, 2013 to inform the Hearing Officer via email response if they desire to also have their claims dismissed and to withdraw as a petitioner of standing in this matter.

Communications in Matter

Parties are reminded that any communication to the Hearing Officer regarding this matter, must be copied to all other parties. Specifically, Petitioners communicating with the Hearing Officer must copy the opposing Parties' Counsels, i.e. G. Steven Ruprecht, sruprecht@brlawkc.com, Attorney for Applicant, and Timothy P. Duggan, Tim.duggan@ago.mo.gov, Attorney for Respondent, as well as all other petitioners. Likewise, respective Counsels must copy each Petitioner.

SO ORDERED December 18, 2013.

MISSOURI DEPARTMENT OF NATURAL RESOURCES



W. B. Tichenor, DNR – Hearing Officer

Certification of Service

I hereby certify a copy of foregoing has been sent via email this 18th day of December, 2013, to:

G. Steven Ruprecht, Attorney for Applicant: sruprecht@brlawkc.com
Tim Duggan, Assistant Attorney General, Attorney for Respondent: tim.duggan@ago.mo.gov
Daren Eppley, Assistant Attorney General, Attorney Land Reclamation Program:
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Kevin Mohammadi, Staff Director, LRP, Respondent: Kevin.Mohammadi@dnr.mo.gov
Lauren Cole, Program & Commission Secretary: lauren.cole@dnr.mo.gov
David L. Zeiler: dzeiler@zeilerlawfirm.net

Petitioners:

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