

STATE OF NORTH CAROLINA
COUNTY OF PERQUIMANS

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
15EHR07012

<p>Stephen E Owens and Jillanne G Badawi Petitioner</p> <p>v.</p> <p>North Carolina Department Of Environment And Natural Resources, Division of Energy Mineral and Land Resources Respondent</p>	<p>NOTICE OF CONTESTED CASE AND ASSIGNMENT G.S. 150B-23, 33(b)(4)</p>
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NOTICE IS HEREBY GIVEN that a petition for a contested case hearing pursuant to G.S. 150B-23(a) was filed in and accepted by the Office of Administrative Hearings on September 25, 2015. In accordance with G.S. 150B-23(a) and 26 NCAC 3 .0103, Melissa Owens Lassiter, Administrative Law Judge, has been assigned to preside in this case. The administrative law judge may be contacted by mail at 6714 Mail Service Center, Raleigh, N.C. 27699-6700, or by telephone at (919) 431-3000.

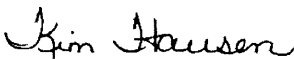
The Respondent shall submit, within 30 days, a copy of the document constituting agency action, which caused the filing of the Petition.

A copy of any document or other pleading filed with the Office of Administrative Hearings must also be sent to the other party at the time of filing. If a party changes his or her mailing address, or if the address is incorrect, the Office of Administrative Hearings must be notified of the new or corrected address.

NOTE: You may receive an Order for Prehearing Statements to which you must respond within 30 days.

This the 6th day of October, 2015.

Julian Mann, III
Chief Administrative Law Judge


Kim Hausen
Chief Hearings Clerk
Office of Administrative Hearings
6714 Mail Service Center
Raleigh NC 27699-6700
Phone: 919-431-3000

On this date mailed to:

ELLIOT ENGSTROM
ATTORNEY AT LAW
100 SOUTH HARRINGTON STREET
RALEIGH NC 27603-
ATTORNEY FOR PETITIONER

CAROLYN HUDNELL
NC DEPARTMENT OF JUSTICE
ENVIRONMENTAL DIVISION
9001 MAIL SERVICE CENTER
RALEIGH NC 27699-9001
RESPONDENT

This the 6th day of October, 2015.



Kim Hausen
Chief Hearings Clerk
Office of Administrative Hearings
6714 Mail Service Center
Raleigh NC 27699-6700
919-431-3000

STATE OF NORTH CAROLINA
COUNTY OF PERQUIMANS

IN THE OFFICE OF
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15EHR07012

<p>Stephen E Owens and Jillanne G Badawi Petitioner</p> <p>v.</p> <p>North Carolina Department Of Environment And Natural Resources, Division of Energy Mineral and Land Resources Respondent</p>	<p>ORDER FOR PREHEARING STATEMENTS</p>
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Please complete this form and mail the original and one copy to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6700; mail a copy to the other party and keep a copy for your records.

This Prehearing Statement must be filed and served within 30 days of the date of this ORDER. Failure of a party to comply with this Order for Prehearing Statements may result in the imposition of one or more of the sanctions set forth in G.S. 150B-33(b)(10) and 26 NCAC 03.0114(a) against the non-complying party, which may include the dismissal of the Petition if Petitioner fails to comply, or other appropriate sanctions against the Respondent if Respondent fails to comply.

In order to permit the prompt preparation of this case for hearing,

IT IS HEREBY ORDERED, pursuant to 26 NCAC 3 .0104, that each party file with the Office of Administrative Hearings and serve upon the other parties a Prehearing Statement containing your present position with regard to the following:

1. **The issue(s) to be resolved** (additional pages may be attached if needed):

2. **A brief statement of the facts and reasons supporting the issue(s) in dispute** (additional pages may be attached if needed):

3. **The statutes, rules, and legal precedent, if known** (additional pages may be attached if needed):

4. **A list of proposed witnesses you may call at the hearing** (additional pages may be attached if needed):

5. **Whether you wish to pursue discovery. If so, the estimated length of time required.** (**Discovery** is a technical term used in the law that references acquiring of previously unknown facts and information about the case by one party from the other party through compliance with the specific rules governing pretrial procedures such as depositions, interrogatories and exchanging of exhibits, and the preparation time each party will need in order to be ready for hearing):

6. **If you received a Scheduling Order, is the date and location of the hearing acceptable? If not, you must file a separate motion requesting a change.**

7. If you do not have an attorney representing you in this contested case, please provide the following information in order to receive communications from this Office. You are required to notify this office of any changes in this information:

Home address: _____

Business address: _____

Telephone number: _____ Cell number: _____

Fax number: _____ Email address: _____

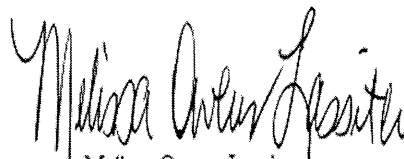
8. Estimated length of hearing:

9. Other special considerations (additional pages may be attached if needed):

YOUR SIGNATURE

PRINT YOUR NAME

This the 6th day of October, 2015.


Melissa Owens Lassiter
Administrative Law Judge

On this date mailed to:

ELLIOT ENGSTROM
ATTORNEY AT LAW
100 SOUTH HARRINGTON STREET
RALEIGH NC 27603-
ATTORNEY FOR PETITIONER

CAROLYN HUDNELL
NC DEPARTMENT OF JUSTICE
ENVIRONMENTAL DIVISION
9001 MAIL SERVICE CENTER
RALEIGH NC 27699-9001
RESPONDENT

This the 6th day of October, 2015.



Kim G Hausen
Chief Hearings Clerk
N. C. Office of Administrative Hearings
6714 Mail Service Center
Raleigh NC 27699-6700
919-431-3000

