

STATE OF ILLINOIS – DEPARTMENT OF LABOR
160 N. LASALLATE ST., STE. C-1300
CHICAGO, ILLINOIS 60601

IN THE CONSOLIDATED MATTER OF:)
)
ILLINI ASPHALT CORP.,)
)
 PETITIONER(S),)
)
v.)
)
JOSEPH BEYER, ACTING DIRECTOR OF THE)
ILLINOIS DEPARTMENT OF LABOR, and)
THE ILLINOIS DEPARTMENT OF LABOR,)
)
 RESPONDENTS,)
)
PATRICK GLEASON, a member of LOCAL 26,)
INTERNATIONAL BROTHERHOOD OF)
TEAMSTERS LOCAL 26, and the TEAMSTERS)
DOWNSTATE ILLINOIS CONSTRUCTION)
INDUSTRY NEGOTIATING COMMITTEE on)
behalf of INTERNATIONAL BROTHERHOOD OF)
TEAMSTERS, LOCALS 26, 50, 371, 525, 627, 722)
and 916,)
 INTERVENOR.)
)

STATE FILE NO. 2018-H-AS09-1977

PATRICK GLEASON, a member of LOCAL 26,)
INTERNATIONAL BROTHERHOOD OF)
TEAMSTERS LOCAL 26, and the TEAMSTERS)
DOWNSTATE ILLINOIS CONSTRUCTION)
INDUSTRY NEGOTIATING COMMITTEE on)
behalf of INTERNATIONAL BROTHERHOOD OF)
TEAMSTERS, LOCALS 26, 50, 371, 525, 627, 722)
and 916,)
)
 PETITIONER(S),)
)
v.)
)
JOSEPH BEYER, ACTING DIRECTOR OF THE)
ILLINOIS DEPARTMENT OF LABOR, and)
THE ILLINOIS DEPARTMENT OF LABOR,)
)
 RESPONDENTS.)
)

STATE FILE NO. 2018-H-AS09-1972

ORDER

THIS MATTER COMING on to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01-12 and Notice of Hearing issued thereunder; and, pursuant to a status conference all parties and intervenors having been duly advised on the premises issues this order;

IT IS HEREBY ORDERED:

1. **Respondents** shall file an **answer** on or before **January 19, 2018**.
2. General discovery (e.g., deposition, interrogatories or request to produce or admit) is not permitted. 56 Ill. Adm. Code 120.410 (a).
3. Any discovery dispute is to be addressed with the opposing party prior to filing a motion. Evidence demonstrating said outreach will be required before a motion will be entertained regarding same.
4. All Petitions to Intervene shall comply with 56 Ill. Adm. Code 120.320.
5. Failure to file the Petition to Intervene in accordance with 56 Ill. Adm. Code 120.320 will result in the Petition not being in compliance with this order and subsequent denial.
6. Any **Petition to Intervene** filed after **January 26, 2018** will be deemed **untimely** and will unduly delay or prejudice the adjudication of rights of the original parties 56 Ill. Adm. Code 120.320 (2).
7. Each party shall provide the opposing party with a copy of any **document** that it may offer into evidence. The parties shall exchange documents on or before **February 2, 2018**. Each party shall provide newly discovered documents, except for witness statements, as they become known to the party intending to introduce the document. Any newly discovered documents must be produced on or before **February 23, 2018**. A party will require leave of the administrative law judge to provide any documents after this date, except for documents obtained pursuant to a third-party subpoena.
8. The parties shall file **motions for third party subpoenas**, along with a draft copy of a subpoena (the subpoena shall show on its face the name and address of the party) at whose request the subpoena was issued with the undersigned on or before **February 16, 2018**. The parties maintain a duty to supplement document exchange wherein documents have been obtained in this fashion. In any case, those documents shall not be produced to the opposing parties after **March 30, 2018** without leave of the administrative law judge or as agreed to among the parties.
9. Subpoenas for the attendance and testimony of witnesses shall be filed on or before **February 23, 2018**. The subpoena shall show on its face the name and address of the party at whose request the subpoena was issued.
10. Each party shall provide to the opposing party and the undersigned a witness list containing the name, address and affiliation with the matter of any witness who may be called to testify on or before **February 23, 2018**. Witnesses not on these lists will require leave of the administrative law judge to be allowed to testify.
11. This matter is set for a telephonic status conference on **March 6, 2018** at **11:30 a.m.** at which time all outstanding issues will be discussed as well as any pending motions. The undersigned will initiate the conference at previously provided phone numbers.
12. Written stipulations, if any, shall be provided to the undersigned on or before **March 16, 2018**.
13. This matter is scheduled for in person hearing on **April 17 and 18, 2018 at 9:00 a.m.** at the Illinois Department of Labor, 160 N. LaSalle St., Ste. C-1300, Chicago, IL 60601. The parties shall be prepared to proceed.

DATE: 1/3/18

/s/ Claudia D. Manley

Claudia D. Manley
Chief Administrative Law Judge

Claudia D. Manley
Chief Administrative Law Judge
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601
V: 312-793-1805
DOL.hearings@illinois.gov

Note: Entrance into the building requires presentation of valid government issued photo identification and security screening.

STATE OF ILLINOIS)
)
)
COUNTY OF COOK)

CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I Ann Harrison a non-attorney, affirm, certify or on oath state, that I served notice of the attached Order upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Order in Case No. 2018-H-PK-09-1977 and 2018-H-AS09-1972 and a copy of the Certificate of Service in an envelope addressed to each party or party's agent at the respective address shown on the Order or on the Certificate of Service, having caused each envelope to be served by U.S. mail with postage prepaid at 100 W. Randolph Street, Chicago, Illinois on the 3 day of January, 2018 prior to 4:30 p.m. and placed on the Illinois Department of Labor's official website at and placed on the Illinois Department of Labor's official website at www.state.il.us/agency/idol/

Illini Asphalt Corp.
c/o Matt Robinson
Hesse Martone
13354 Manchester Rd., Ste. 100
St. Louis MO 63131
andymartone@hessemartone.com

PATRICK GLEASON/IBOT #26
c/o Robert S. Cervone /Ron Willis
Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich
8 S. Michigan Ave. 19th Fl.
Chicago, IL 60613
RWillis@laboradvocates.com

Via Hand Delivery:

Benno Weisberg
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601

/s/ Ann Harrison 
IDOL, Executive Secretary