

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

IN THE MATTER OF:)
)
MIDWEST WALL AND CEILING)
CONTRACTORS, NFP; AND J.P. PHILLIPS, INC.)
)
PETITIONER(S),) STATE FILE NO. 2019-H-PK09-2317
)
v.)
)
JOSEPH BEYER, DIRECTOR OF THE)
ILLINOIS DEPARTMENT OF LABOR, and)
THE ILLINOIS DEPARTMENT OF LABOR,)
)
RESPONDENTS.)
)

ORDER

THIS MATTER COMING on to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01-12 and Notice of Hearing issued there under; and, 56 Illinois Administrative Code 120.130 all parties having been duly advised in the premises issues this order;

1. All parties and the undersigned consent to email service of notice.
2. **Respondent** shall file an **answer** on or before **November 1, 2018**.
3. Complainant Attorney(s) shall file an appearance on or before **November 1, 2018**.
4. General discovery (e.g., deposition, interrogatories or request to produce or admit) is not permitted. 56 Ill. Adm. Code 120.410 (a).
5. Any **discovery dispute** is to be addressed with the opposing party prior to filing a motion with the undersigned. Evidence demonstrating said outreach is required when filing a motion regarding a discovery dispute prior to entertaining same.
6. All **Petitions to Intervene** shall **comply** with 56 Ill. Adm. Code 120.320.
7. 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.
8. Any **Petition to Intervene** filed after **November 5, 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).
9. This matter is set for a **telephonic pre-hearing conference/status** to address any outstanding motions on **November 7, 2018** at **1:00 p.m.**

10. Each party shall provide the opposing party with a copy of any **document/evidence** that it may offer into evidence. The parties shall exchange documents on or before **November 7, 2018**. Each party shall provide newly discovered documents/evidence, except for witness statements, as it becomes known to the party intending to introduce the document/evidence. Any newly discovered documents must be continuously updated.
11. 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 **November 12, 2018**. Witnesses not on these lists will require leave of the administrative law judge to be allowed to testify.
12. **Written stipulations** shall be provided to the undersigned on or before **November 12, 2018**.
13. This matter is scheduled for in person hearing on **November 15, 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: 10/30/18

/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 security screening and production of valid government issued photo identification.

CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I C.Y. Jackson, 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 Notice of Hearing in Case No. 2019-H-PK09-2317 and a copy of the Certificate of Service in an envelope addressed to each party or party's agent via email address shown on the Certificate of Service, having caused each to be served via email from 100 W. Randolph Street, Chicago, Illinois on the 30th day of October, 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/

Petitioner(s) Attorney:

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Respondent Attorney:

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/s/ C. Y. Jackson
C.Y. Jackson, Office Specialist