

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

IN THE MATTER OF:)
)
PAINTERS DISTRICT COUNCIL NO. 30 and)
AFFILIATED LOCAL UNIONS #607 #157, #465,)
#97, #154, #448, #1285, #209, and #467)
)
)
PETITIONER(S),) STATE FILE NO. 2019-H-PK09-2319
)
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;

IT IS HEREBY ORDERED:

1. **Respondent** shall file **answer(s)** on or before **January 22, 2019** and Attorney Brandon Anderson shall file an appearance on or before January 22, 2019
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 with the administrative law judge. Evidence demonstrating said outreach is required when filing a motion regarding a discovery dispute prior to entertaining same.
4. 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 **January 25, 2019**. 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 **February 25, 2019** without leave of the administrative law judge or as agreed to among the parties.
5. **Subpoenas for the attendance and testimony of witnesses** shall be filed on or before **February 4, 2019**. The subpoena shall show on its face the name and address of the party at whose request the subpoena was issued.

6. 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 **February 25, 2019**. 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 produced on or before **March 18, 2019**. 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.
7. Each party shall provide to the opposing party and the administrative law judge a **witness list** containing the name, address and affiliation with the matter of any witness who may be called to testify on or before **March 4, 2019**. Witnesses not on these lists will require leave of the administrative law judge to be allowed to testify.
8. This matter is set for a **telephonic status conference** on **March 19, 2019** at **11:00 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.
9. **Written stipulations** shall be provided to the undersigned on or before **March 25, 2019**.
10. This matter is scheduled for in person hearing with **Administrative Law Judge Michael Haggerty** on **April 2 and 3, 2019** at the Illinois Department of Labor, 160 N. LaSalle St., Ste. C-1300, Chicago, IL 60601. The parties shall be prepared to proceed.

DATE: 1/10/19

/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
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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(s) upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Order(s) in Case No. 2019-H-PK09-2319 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 Certificate of Service, having caused each to be served via email from 100 W. Randolph Street, Chicago, Illinois on the 10th day of January, 2019 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:

Brandon Anderson
BAnderson@jbosh.com

Sherrie Voyles
svoyles@jbosh.com

Respondent:

Benno Weisberg
benno.weisberg@illinois.gov

/s/ C. Y. Jackson
C.Y. Jackson, Office Specialist
Illinois Department of Labor