

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

IN THE MATTER OF:)	
)	
THE MID-AMERICA REGIONAL BARGAINING)	
ASSOCIATION, CURRAN CONTRACTING)	
COMPANY, GENEVA CONSTRUCTION)	
COMPANY, AND IHC CONSTRUCTION,)	
)	
PETITIONER(S),)	STATE FILE NO. 2019-H-PK09-2316
)	
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 agree** to accept service of process via **email**.
2. **Respondent** shall file an **answer** on or before **November 9, 2018**.
3. General discovery (e.g., deposition, interrogatories or request to produce or admit) is not permitted. 56 Ill. Adm. Code 120.410 (a).
4. 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.
5. All **Petitions to Intervene** shall **comply** with 56 Ill. Adm. Code 120.320.
6. 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.
7. Any **Petition to Intervene** filed after **November 30, 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).
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 **December 14, 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 **January 9, 2019** 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 **December 14, 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 the opposing party with a copy of any **document/evidence** that it may offer into evidence. The parties shall exchange documents on or before **December 21, 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 produced on or before **January 9, 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.
12. 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 **January 9, 2019**. Witnesses not on these lists will require leave of the administrative law judge to be allowed to testify.
13. This matter is set for a **telephonic status conference** on **December 20, 2018** at **9:30 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.
14. **Written stipulations** shall be provided to the assigned administrative law judge on or before **January 8, 2019**.
15. This matter is scheduled for in person hearing with **Administrative Law Judge Raymond Cyrus** on **January 15, 16 and 17, 2019** at **9:00 a.m.** the Illinois Department of Labor, 160 N. LaSalle St., Ste. C-1300, Chicago, IL 60601. The parties shall be prepared to proceed.

DATE: 11/1/2018

/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 Claudia Manley, an 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-PK09-2316 and a copy of the Certificate of Service via email 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 1st day of November, 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 Attorney:

Aaron Janik

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Respondent Attorney:

Benno Weisberg

benno.weisberg@illinois.gov

/s/ Claudia D. Manley

Claudia D. Manley, Admin. Law Judge
Illinois Department of Labor