

STATE OF WASHINGTON
OFFICE OF ADMINISTRATIVE HEARINGS

OAH docket
number

In the Matter of:

ABC, Inc.,

Docket No. 00-2016-LI-99999

Type of Order

**PREHEARING CONFERENCE
ORDER AND NOTICE OF HEARING**

Agency: Labor and Industries

Program: YYY

Agency No. #####

Agency Number

Deadlines

SCHEDULE AND NOTICE OF HEARING:

DATE AND TIME	EVENT
[Month Day, Year]	Final day for filing and serving Witness Lists, Exhibit Lists, and marked Exhibits
To be set upon request	Final Status Conference, if requested
[Month Day, Year] , beginning at [Time]	The hearing will convene at: [Name and Address of Hearing Location or by telephone]

Hearing Date

DEFAULT: If you do not participate in any stage of the proceedings or if you fail to appear at your hearing, you may be held in default. This means you lose the right to a hearing and your appeal will be dismissed.
RCW 34.05.440.

2. PREHEARING CONFERENCE SUMMARY:

- 2.1. Administrative Law Judge [name of ALJ] conducted the prehearing conference on [date of prehearing conference].
- 2.2. [Name], Assistant Attorney General, appeared and represented Department of Labor and Industries (“Department”).
- 2.3. [Appellant Representative] appeared and represented ABC, Inc.

Hearing Issues

3. AGREEMENTS AT THE PREHEARING CONFERENCE: During prehearing conference, the parties agreed to the following:

3.1. ISSUES:

- 3.1.1. Did ABC, Inc. violate Chapter 0000 RCW by [engaging in the alleged unlawful activity]?
- 3.1.2. If so, what are the appropriate penalties?
- 3.1.3. The hearing in this matter will be limited to these issues, unless they are modified at a later prehearing conference.

3.2. CASE SCHEDULE: The Case Schedule in section 1 governs this case.

4. HEARING PROCEDURES:

4.1. FILING AND SERVING DOCUMENTS

4.1.1. **FILING WITH OAH:** To “file” a document, you must provide the original to OAH and a copy to the other party. You can deliver those documents by hand delivery, mail, or fax followed by same-day mailing. Documents filed by fax should not exceed fifteen pages.¹ The date of filing will be the date of receipt by OAH during regular business hours.² Documents may be filed with OAH at the following address:

Office of Administrative Hearings
949 Market Street, Suite 500
Tacoma, WA 98402
Tel: (253) 476-6888 / (800) 583-8271
Fax: (253) 593-2200

4.1.2. **SERVING ON OTHER PARTIES:** When you file documents with OAH, you must also serve copies on the other party’s representative.³ You can serve those copies by hand delivery, mail, or fax followed by same-day mailing.⁴

How to
submit
documents

Do not email
documents

You must
send copies
to all parties

¹ WAC 10-08-110(1)(b)(iv).

² WAC 10-08-110(1)(a).

³ WAC 10-08-110(2)(a).

⁴ WAC 10-08-110(2)(b).

4.2. CONTINUANCES: You may request a continuance of any hearing event.

If you have a good reason for a continuance, file your request with the ALJ before the hearing event. Your request should explain the good reason you are requesting a continuance. If the request is urgent, call (253) 476-6888. You must appear at the hearing event, unless OAH has informed you in writing that it has continued the hearing.

Form at end of document

4.3. PRESENTING WITNESSES: If you want to present witnesses at the hearing, you must file a witness list. Your witness list must include the following information about each witness: (a) name, (b) role, (c) phone number, (d) address, (e) the testimony you expect the witness to give, and (f) whether your witness will appear in-person or by telephone. Without approval from the ALJ, only witnesses named in a timely filed witness list will be allowed to testify. Find a form attached.

Form at end of document

4.4. PRESENTING EXHIBITS:

1. **Preparing an Exhibit List:** Exhibits are documents used as evidence. If you want to introduce exhibits, you must file an exhibit list and a fully marked set of your exhibits. For each exhibit, your list must include: (a) title or description, (b) date, and (c) number of pages. Without approval from the ALJ, only exhibits named in a timely filed exhibit list will be admitted. Find a form attached.

2. **Marking Exhibits:** You must mark each page of your exhibits in the lower right hand corner with an exhibit number and a page number. The Department will identify exhibits numerically. Appellant will identify exhibits alphabetically. For example:

- Department: Exhibit 1, page 1 of 10
- Appellant: Exhibit A, page 1 of 10

4.5. CONTACT INFORMATION: If your address or telephone number changes, you must immediately update OAH.

4.6. RIGHT TO REPRESENTATION: You have a right to representation at your own expense. If you plan to seek representation, start looking now. If you delay, your representative may not be available for the hearing.

Label the documents A, B, C, etc.
Exhibit A, page 1 of 10
Exhibit B, Page 1 of 3

4.7. WEAPONS: Except for law enforcement personnel, no one may bring firearms or other dangerous weapons to an administrative hearing or an OAH facility.⁵

5. ORDER:

IT IS HEREBY ORDERED:

5.1. This order governs this matter unless modified by the Administrative Law Judge.

5.2. Because I have not made any substantive discretionary ruling, OAH may assign this matter to a different Administrative Law Judge.

Issued from Tacoma, Washington, on the date of mailing.

[Name of judge]
Administrative Law Judge
Office of Administrative Hearings

⁵ Chapter 10-20 WAC.

Objections: Each party has 10 days to file an objection to this order. If no party timely objects, this order governs this matter as written, unless modified by an Administrative Law Judge.⁶

CERTIFICATE OF MAILING IS ATTACHED

⁶ WAC 10-08-130.

EXHIBIT LIST

Your
name here

Case Name: In the Matter of ABC, Inc., 00-2016-LI-99999

Party Proposing Exhibits: _____

Exhibit Number (Department) or Letter (Appellant)	Name and Date of Document: Example: Investigation Report, January 2, 2014	Number of Pages	Treatment of Exhibit [FOR ALJ USE ONLY]
A	Bank statement July, 2016	2	

Put the letter
of the
document
here
"Exhibit A"

Description
or title of
document

Date of
document

Total pages
of the
document

You must send this list and your exhibits to all parties.

Also send this list and your exhibits by mail to OAH at:

Office of Administrative Hearings
949 Market Street, Suite 500
Tacoma, WA 98402

WITNESS LIST

**Your
name here**

Case Name: *In the Matter of ABC, Inc.*, 00-2016-LI-99999

Party Proposing Witnesses: _____

Witness Name	Relationship To Case (Example: Dept. Investigator)	Telephone Number	Contact Address	Method of Appearance (In-Person or by Telephone)
John Smith	Supervisor	555-555-5555	12345 West Street, Tacoma WA 98402	In-person

**Briefly describe
what this person
will say**

Brief Description of Testimony:
Hours worked and job duties

Witness Name	Relationship To Case (Example: Dept. Investigator)	Telephone Number	Contact Address	Method of Appearance (In-Person or by Telephone)

Brief Description of Testimony:

**You must send this list to all parties.
Also send this list by fax or mail to OAH at:
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