

**BEFORE THE
NATURAL RESOURCES COMMISSION
OF THE
STATE OF INDIANA**

IN THE MATTER OF:

RANDY PLEW and MARC ROTH)	Administrative Cause
Petitioners,)	Number: 17-054W
)	
vs.)	
)	PL-23034
EPWORTH FOREST FOUNDATION, INC.)	
and DEPARTMENT OF NATURAL)	
RESOURCES,)	
Respondents.)	

ORDER GRANTING MOTION TO CONTINUE PREHEARING CONFERENCE

On May 30, 2017, Petitioner Randy Plew filed correspondence on behalf of himself and Marc Roth, seeking a continuance of the prehearing conference scheduled for June 1, 2017 for the reason that they have not had ample opportunity to retain counsel.

Despite the lack of certification that service was made upon all other parties, due to the time sensitive nature of Mr. Plew's motion the Commission has caused the correspondence to be filed based upon the verbal representation that all other parties were served. Please be advised that all filings must contain an appropriate certification that service has been made upon all parties.

Being duly advised, the Petitioners' motion to continue the prehearing conference in this matter is granted.

The Prehearing Conference is rescheduled for July 13, 2017, at 10:30 a.m. EDT (9:30 a.m. CDT) at the Department of Natural Resources' District 2 Conservation Officer Headquarters, 1353 South Governor's Drive, Columbia City, Indiana.

You are notified in accordance with IC 4-21.5-3-18(d)(8) that a party who fails to attend or participate in a prehearing conference, hearing, or later stage of the proceeding may be held in default or have a proceeding dismissed under IC 4-21.5-3-24 and 312 IAC 3-1-9.

Dated: May 31, 2017



Sandra L. Jensen
Administrative Law Judge
Natural Resources Commission
Indiana Government Center North

100 North Senate Avenue, Room N103
Indianapolis, Indiana 46204-2200
(317) 232-4699

A copy of the foregoing was sent to the following:

Randy Plew
1150 West 150 North
Columbia City, Indiana 46725

Elizabeth A. Gamboa
Ihor Boyko
Legal Counsel
Department of Natural Resources
Indiana Government Center South, Room W-295
402 West Washington Street
Indianapolis, Indiana 46204

Marc Roth
6483 North 2nd Trail
North Webster, Indiana 46555

Matthew R. Shipman
BLOOM GATES SHIPMAN & WHITELEATHER
119 South Main Street, P.O. Box 807
Columbia City, Indiana 46725

cc: DNR, Division of Water, Lori Schnaith
DNR, Division of Fish and Wildlife, Linnea Petercheff

Jensen, Sandra

From: Jensen, Sandra
Sent: Wednesday, May 31, 2017 10:26 AM
To: Gamboa, Elizabeth A; Boyko, Ihor; 'plewrandy@hotmail.com'
Subject: Plew and Roth v. Epworth Forest Foundation, Inc. (17-054W)

Dear Parties,

I have granted the Petitioners' motion to continue the prehearing conference scheduled for June 1, 2017 and am providing this email notification as a courtesy to those for whom I have email addresses. I will have staff notify Mr. Shipman by telephone call.

The Order is being issued today by US Mail.

Sincerely,

*Sandra L. Jensen
Chief Administrative Law Judge
Natural Resources Commission
Division of Hearings
Indiana Government Center North, Room N103
100 North Senate Avenue
Indianapolis, Indiana 46204*

*Telephone: 317/232-4229
Fax: 317/233-2977*