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SUMMIT LAW GROUP®

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March 3, 2009

Adam E. Torem, Administrative Law Judge
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

**Re: Waste Connections of Washington, Inc., Complainant v.
Enviro/Con & Trucking, Inc., and Waste Management Disposal
Services of Oregon, Inc., Respondents (Docket TG-071194)**

Dear Judge Torem:

In the *Notice Suspending Procedural Schedule & Striking Prehearing Conference* dated November 18, 2008, the procedural schedule in the above-identified matter was suspended, but the Commission requested that the parties jointly file quarterly status reports regarding the appeal proceedings in Thurston County Superior Court.

On behalf of Mr. Cedarbaum for the Commission, Mr. Wiley for Waste Connections of Washington, Inc., Mr. Sells for the Washington Refuse and Recycling Association, and myself for the Waste Management Disposal Services of Oregon, Inc. and Enviro-Con & Trucking, Inc., I send this letter and enclose for your information a copy of the *Case Schedule Order* from Judge McPhee of Thurston County Superior Court, setting the hearing date in this appeal for July 24, 2009, and setting out the pre-hearing briefing schedule.

A condition of the *Notice Suspending Procedural Schedule & Striking Prehearing Conference* was that we file quarterly reports. Our first report was February 27, 2009, and we apologize for not submitting this letter report on Friday. We all hope that sending this one day late has not inconvenienced your office or the Commission.

Our next quarterly report would be due May 27. On behalf of all parties, we respectfully request that our next report instead be required one week after the

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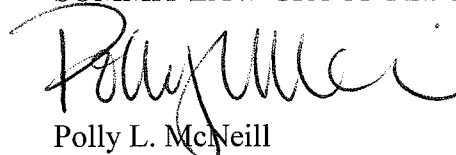
Adam E. Torem, Administrative Law Judge
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Page 2

hearing in Thurston County Superior Court, on or before July 31, 2009. The July 24 hearing date was chosen with due consideration of all parties' calendars, and it is not expected to change. However, if for any reason the schedule is revised, we would inform the Commission as soon as possible of the new schedule.

Thank you for your attention, and please do not hesitate to contact me if you have any questions.

Sincerely,

SUMMIT LAW GROUP PLLC

A handwritten signature in black ink, appearing to read "Polly L. McNeill", written over the printed name.

Polly L. McNeill

cc: Dave Wiley
Bob Cedarbaum
Jim Sells

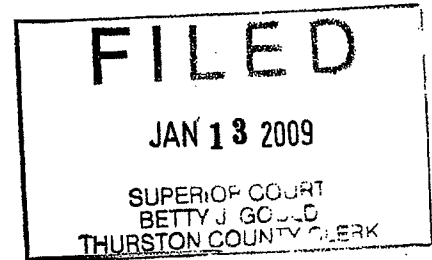
I certify to be true under penalty of perjury
Under the laws of the State of Washington that
I delivered/mailed a copy of this document to:

1 Attorney on 1/13
2 2009 at Summit, WA
Signed [Signature]

RECEIVED

JAN 15 2009

SUMMIT LAW GROUP, PLLC



7 SUPERIOR COURT OF WASHINGTON
8 IN AND FOR THURSTON COUNTY

9 WASTE MANAGEMENT OF OREGON INC ET
10 AL,

11 Plaintiff(s),

12 v.

13 WASTE CONNECTIONS OF WA ET AL,

14 Defendant(s).

NO. 08-2-02593-1

CASE SCHEDULE ORDER

Judge Thomas McPhee

(CLERK'S ACTION REQUIRED)

15 IT IS HEREBY ORDERED that this case shall proceed to trial in Department 2, Judge
16 Thomas McPhee, with the following schedule:

17 JUN 9, 2009 Last day to file and serve Petitioner's brief, with working copy.

18 JUN 29, 2009 Last day to file and serve Respondent's brief, with working copy.

19 JUL 9, 2009 Last day to file and serve Petitioner's reply brief, if any, with working
20 copy.

21 JUL 24, 2009 Trial begins at 1:30 p.m.

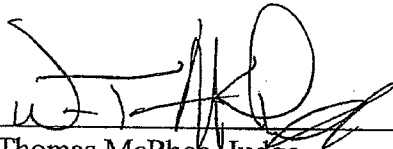
[Clerk: Docket this item.]

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24 **ADDITIONAL PROVISIONS**

- 25 1. **Briefs** of each party shall not exceed 25 pages exclusive of the title sheet and table of
26 contents. Petitioner's **Reply Brief** shall not exceed 10 pages exclusive of the title sheet
27 and table of contents.

- 1 2. The court's **working hardcopy** of each brief should be submitted in a 3-ring binder. An
2 **electronic copy** of the brief should also be submitted by e-mail to Trina Wendel, Judicial
3 Assistant for Department 2 at wendelt@co.thurston.wa.us.
4
5 3. Those portions of the **certified record** referenced in a brief should be copied and
6 submitted in an indexed 3-ring binder along with the working hardcopy of the brief.
7
8 4. **Out-of-state authorities** discussed or cited as major cases in a brief should be copied and
9 submitted in an indexed 3-ring binder along with the working hardcopy of the brief. Cases
10 cited merely to show uniformity among jurisdictions or with Washington authorities need
11 not be copied.
12
13 5. Briefs shall be **formatted** in Arial 12 point, Times New Roman 13 point, or equivalent
14 type.
15

16 DATED: January 12, 2009.

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Thomas McPhee, Judge