

09 NCAC 06B .1110 PREHEARING CONFERENCE

(a) The purpose of the prehearing conference is:

- (1) to simplify the issues to be determined;
- (2) to obtain stipulations in regard to foundations for testimony or exhibits;
- (3) to obtain stipulations or other agreements as to the facts or the application of particular laws;
- (4) to consider the proposed witnesses for each party;
- (5) to identify and exchange documentary evidence intended to be introduced at the hearing;
- (6) to determine dates or schedules for the completion of any discovery;
- (7) to establish hearing dates and locations if not previously set;
- (8) to consider such other matters that may be necessary or advisable; and, if possible,
- (9) to reach a settlement without the necessity for further hearing. Any final settlement shall be set forth in a settlement agreement or consent order and made a part of the record.

(b) Upon the request of any party or upon the hearing officer's own motion, the hearing officer may hold a prehearing conference before a contested case hearing. The hearing officer may require the parties to file prehearing statements in accordance with Rule .1106 of this Section. A prehearing conference on the simplification of issues, amendments, stipulations, or other matters may be entered on the record and may be made the subject of an order by the hearing officer. Venue for purposes of a prehearing conference shall be determined in accordance with G.S. 150B-38(e).

*History Note: Authority G.S. 147-33.76(b1); 150B-38(h);
Temporary Adoption Eff. January 1, 2000;
Eff. August 1, 2000;
Recodified from 09 NCAC 06B .1018 Eff. March 19, 2008;
Amended Eff. September 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015.*