



In the Matter of the Application of

**UNCONVENTIONAL CONCEPTS, Inc., and
MICHAEL HOPMEIER**

**SECOND REVISED
SCHEDULING ORDER**

APA Project No. 2021-0276

The adjudicatory hearing in the above-captioned matter has been **adjourned** from April 22, 2026 and shall now **commence** on **June 24, 2026**, at 10:00 A.M. at Adirondack Park Agency headquarters located at 1133 NYS Route 86, Ray Brook, New York 12977 and such additional dates as determined to be necessary.

I. Witness List and APA Staff Statement

All parties shall file and serve a list of the witnesses they intend to present on or before **April 8, 2026**. The list should be served on the hearing officer and the parties by email by 5:00 p.m. on that date. In addition, APA staff shall file and serve on or before 5:00 p.m. on **April 8, 2026**, a statement concerning the development considerations and other required findings it considers pertinent to the project and outline the evidence it intends to present, as required by 9 NYCRR 580.6(b).

II. Preliminary Discovery

Any preliminary interrogatories and requests for productions of documents shall be served on or before **April 8, 2026**. Copies of discovery requests shall be served on all parties and the hearing officer by 5:00 p.m. on that date.

Responses to discovery requests shall be served on all parties by 5:00 p.m. on **April 29, 2026**, unless otherwise mutually agreed between the parties or upon an Order of the hearing officer following a motion for extension of time to respond.

III. Pre-filed Direct Testimony

Pursuant to 9 NYCRR 580.14(f), the hearing officer may require the submission of pre-filed written testimony for witnesses. Unless otherwise ordered, all testimony shall be written and pre-filed in accordance with the schedule established in this Order, and service on the hearing officer and the parties shall be by email. Each witness offered as an expert must provide either a resume or curriculum vitae as an exhibit to the pre-filed direct testimony and must provide all information and data supporting the statements offered in the pre-filed direct testimony, as well as a bibliography of reports or other documents relied upon in the preparation of the pre-filed direct testimony.

The pre-filed submissions will be limited to direct testimony with the associated exhibits. The pre-filed direct testimony will be prepared in question and answer format. Each line on every page will be numbered, and each page of the pre-filed testimony must be numbered. Errata will not be accepted after the filing date. During the hearing, the witnesses will have the opportunity to correct any typographical errors of their written pre-filed direct testimony before cross-examination. In the alternative, the witness may file an affidavit in advance of the hearing session describing any changes or corrections to the pre-filed direct testimony and associated exhibits.

Subsequent to the submission and service of pre-filed written testimony, but no later than ten (10) business days after service of such testimony, any party may serve upon the party making the submission interrogatories and requests for production of documents concerning the facts or data supporting any conclusion offered in the pre-filed testimony. Responses to interrogatories and document requests shall be provided no later than twenty (20) days after service of such interrogatories and document requests, unless otherwise mutually agreed between the parties or upon an Order of the hearing officer following a motion for extension of time to respond.

The applicant will file and serve pre-filed testimony of witnesses and related exhibits on or before 5:00 p.m. on **May 20, 2026**.

APA staff and the intervenors shall file and serve pre-filed direct testimony and related exhibits on or before 5:00 p.m. on **June 10, 2026**.

At the hearing, the sponsoring party will ask the witness to attest to the pre-filed testimony. The parties will have the opportunity to cross-examine each witness unless the parties stipulate otherwise. If a party intends to introduce any exhibits during cross-examination, copies of the exhibits must be provided to each party and the hearing officer at that time. The sponsoring party may ask its witness questions on re-direct, followed by recross-examination.

The hearing will continue, as needed, until each party has presented their direct case, and the other parties have exercised their right to cross-examine the witnesses.

Any requests to modify or amend this Scheduling Order must be filed in writing at least 10 calendar days before the established due date. Prior to filing the request, the parties must confer and attempt to resolve the conflict before filing the request with the hearing officer.

SO ORDERED



David N. Greenwood
APA Hearing Officer

Dated: March 13, 2026
Albany, New York
To: Attached Service List

Service List
APA 2021-0276 Public Hearing
Unconventional Concepts, Inc. and Michael Hopmeier

**Project Sponsor / Applicant
Representatives**

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