



In the Matter of the Application of

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

**THIRD REVISED SCHEDULING
ORDER**

APA Project No. 2021-0276

The adjudicatory hearing in the above-captioned matter has been **adjourned** from June 24, 2026 and shall now commence on **Wednesday October 28, 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. Discovery

Responses to preliminary interrogatories and requests for production of documents were due at 5:00 p.m. on April 29, 2026.

APA hearing staff shall supplement their April 29, 2026 responses by production of all relevant, material, and non-privileged documents, excluding expert reports, by serving such documents on all parties and the hearing officer on or before 5:00 p.m. on June 26, 2026.

Applicant and intervening parties are not required to supplement their April 29, 2026 discovery responses, unless otherwise ordered following any motion to compel.

II. Site Visit

The parties conferred and discussed a schedule for a site visit for APA hearing staff, intervening parties and any retained experts on June 15, 2026 and are proposing a site visit to occur July 15-17 or the week of July 27, 2026. An exact date has not yet been agreed to.

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, or must be accompanied by a technical report that provides, a full explanation of the basis for the views set forth therein, including data, tables, protocols, computations, formulae, and any other information necessary for verification of the views set forth, as well as a bibliography of reports, studies and other documents relied upon. Upon ten (10) days notice (which time may be shortened or extended by the Hearing Officer) the party submitting pre-filed testimony may also

be required to make available all raw data, well logs, laboratory notes, and other basic materials, as well as all items on the bibliography provided. Whenever pre-filed testimony is not required, any party may demand, from any other party or the Agency propounding an expert witness, all backup information that would be required in connection with pre-filed 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.

The applicant will file and serve pre-filed testimony of witnesses and related exhibits on or before 5:00 p.m. on **August 12, 2026**.

APA staff shall file and serve pre-filed direct testimony and related exhibits on or before 5:00 p.m. on **August 26, 2026**.

Intervenors shall file and serve pre-filed direct testimony and related exhibits on or before 5:00 p.m. on **September 9, 2026**.

IV. Order of Proceedings

The parties shall meet and confer with the Hearing Officer on Wednesday October 7, 2026 to discuss (i) the order of proceedings; (ii) scheduling of witnesses; and (iii) proposed schedule and locations for hearing dates.

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.

At the conclusion of the hearing the parties shall have the opportunity to submit final briefs relating to any issue of law, ruling, or positions taken.

V. Modification of Scheduling Order

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: June 24, 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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