



**PUBLIC**

finding of fact. Citations to individual documents or items of testimony that do not also reference a corresponding proposed finding of fact may be disregarded.

7. When citing to pages in AB2, the parties must also identify the witness or other speaker by last name.
8. Do not use “*Id.*” as a cite for proposed findings of fact or reply findings of fact.
9. Do not cite to more than one copy of the same document. *E.g.*, if identical copies of the arbitrator’s decision appear, at pages 100 and 200 of AB1, cite to only one page.
10. Because the review here is *de novo*, parties should cite to evidence in the record and not simply to parts of the arbitrator’s corrected final decision.
11. Reply filings must be limited to refuting issues raised by the opposing side and should not be used merely to bolster assertions or arguments made in an opening filing, or to restate the proposition in language that is believed to be more favorable to your position.
12. Reply briefs must reply to the arguments in the same order as the arguments were presented by the opposing party in its opening brief.
13. Reply findings of fact must set forth the opposing party’s proposed finding of fact in single space and then set forth the reply in double space.
  - a. Reply findings of fact must be numbered to correspond to the opposing party’s finding that the reply finding is refuting and must use the same outline headings used by the opposing party in its opening proposed findings of fact.
  - b. If you have no specific response to, or do not disagree with, the opposing party’s proposed finding of fact, set forth the opposing party’s proposed finding of fact and then state that you have no specific response or do not disagree.
  - c. The opposing party’s findings of fact must **not** be included in the word count applicable to reply findings of fact.

**ORDERED:**

Jay L. Himes  
Jay L. Himes  
Administrative Law Judge

Date: August 6, 2025