

Matter No: 2106ET19

Citations to the hearing transcript, a copy of which will be provided to counsel for the parties as soon as it is available, shall include both page and line numbers. Citations to exhibits shall include both exhibit and page numbers. If the citation is to a particular email included in a chain, the citation shall specify the sender, recipient, date, and time of the email. Citations to pleadings or other filings shall include the name of the document, date, page, and paragraph number (if any).

3. Proposed findings of fact.

The first section of the brief shall set forth proposed factual findings. Each proposed factual finding shall be presented in a separate numbered paragraph and shall be accompanied by specific citation(s) to the record in support of the proposed finding. Note that the pleadings in this matter may only be cited in support a proposed finding of fact if that fact was either made a part of the evidentiary record at hearing or expressly admitted in the Response to the Notice of Administrative Enforcement Proceeding.

4. Proposed conclusions of law.

The second section of the brief shall set forth proposed conclusions of law. Each proposed conclusion of law shall be presented in a separate numbered paragraph and shall be accompanied by citation(s) to the paragraphs containing the factual findings underlying the proposed legal conclusion. Each proposed conclusion of law shall also cite the specific statutory or regulatory provision that supports the proposed conclusion.

5. Argument.

The final section of the brief shall contain concise arguments in support of the proposed findings of fact and conclusions of law. All assertions based on statutory or regulatory law, judicial decisions, or Board precedent shall be accompanied by specific citations. All references to facts shall be accompanied by citation to the relevant paragraph(s) in the proposed findings of fact or, if referring to a part of the record that is not included in the proposed findings of fact, by citation to the record.

SO ORDERED.

Date: December 21, 2021

/s/ Louis S. Rulli, Esq.
Louis S. Rulli, Esq.
Hearing Officer