

BEFORE THE HEARING BOARD
OF THE
BAY AREA AIR QUALITY MANAGEMENT DISTRICT
STATE OF CALIFORNIA

FILED

AUG 10 2023

HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

In the Matter of the Appeal of
TESLA, INC.
From Denial of Permit Application #31706,
Issued May 17, 2023

Re: Tesla, Inc. Fremont Facility, No. 20459
(South Paint Body Shop Line)

Docket No.: 3742

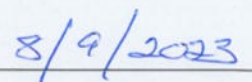
ORDER FOR SCHEDULE OF
PRE-HEARING ACTIONS

The items below were discussed at the pro forma hearing held on August 8, 2023, pertaining to the above-referenced matter. The dates below are based on the date of October 3, 2023, when the evidentiary hearing will occur.

- 1) Pre-hearing briefing schedule: The parties will conduct parallel briefing, with initial briefs from each party due to the Hearing Board on September 19, 2023. Reply briefs due from each party on September 26, 2023.
- 2) Pre-hearing motion schedule: Any motions by the parties are due by September 12, 2023, with replies due September 19, 2023. The Hearing Board will hear all motions filed on October 3, 2023.
- 3) Certification of a record: The parties will agree on a record of the appeal and propose to lodge it with the Hearing Board by the end of August 2023.
- 4) Stipulation of facts: The parties will jointly file the stipulation of facts with the Hearing Board by September 8, 2023.
- 5) The parties will exchange witness lists by September 22, 2023



Valerie J. Armento, Esq., Chairperson



Date

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PRE-HEARING ACTIONS

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3 **STATE OF CALIFORNIA**

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5 In the Matter of the APPEAL of) Docket No. 3742
6 TESLA, INC.)
7 From Denial of Permit Application 31706,)
8 Issued May 17, 2023)
9 Re: Tesla, Inc. Fremont Facility, No. 20459)
10 (South Paint Body Shop Line)

CERTIFICATE OF SERVICE

FILED
AUG 10 2023
HEARING BOARD
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

11 STATE OF CALIFORNIA)
12) ss.
13 City and County of San Francisco)

14 I, Marcy Hiratzka, do hereby certify under penalty of perjury as follows:
15 That I am a citizen of the United States, over the age of eighteen years and not a party to
16 the above-entitled action; that I served a true copy of the attached Order for Schedule of Pre-
17 Hearing Actions on:

17 **Patricia O’Toole, Esq.**
18 otoolelaw@earthlink.net

Josh Gubkin, Esq.,
jgubkin@tesla.com

19 by depositing same via e-mail, on August 10, 2023; and on

20 **Alexandra Kamel, Esq., Senior Assistant Counsel**
21 akamel@baaqmd.gov

22 via e-mail, on August 10, 2023.

23 

24 August 10, 2023

25 _____
26 Marcy Hiratzka, Clerk of the Boards

25 _____
26 Date