

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN RE:)
Sodexo Operations, LLC,)
Appellant,)
v.)
Francis Marion University, Respondent)
(Contract Controversy))

BEFORE THE SOUTH CAROLINA
PROCUREMENT REVIEW PANEL

SCHEDULING ORDER

Case No. 2014-1

This matter is before the South Carolina Procurement Review Panel (the Panel) on a request for further administrative review by Sodexo Operations, LLC (Sodexo) from the March 12, 2014, order of the Chief Procurement Officer. This case involves a contract dispute between Sodexo and Francis Marion University (FMU). Pursuant to its authority under S.C. Code Ann. § 11-35-4410 (4)(a)(i) and other authority and precedent,¹ the Panel, by its Chairman, hereby sets forth the following Conference and Scheduling Order for this hearing:

1. On or before **April 10, 2014**, the parties shall confer to discuss the issues raised by the stipulations set forth below, to identify any documents on which they may rely and/or introduce at the hearing.
2. Motions, if any, are to be filed on or before **April 17, 2014**. Responses to any motions are due by **May 1, 2014**. Motions are to be served on opposing counsel and filed with the Panel.
3. On or before **May 1, 2014**, the parties shall file a joint document detailing any agreed-upon stipulations of fact.
4. On or before **May 1, 2014**, the parties shall file a joint document that (a) identifies the witnesses expected to be called by each party, which issues such witnesses will testify to, and a summary of anticipated testimony²; and (b) identifies any questions of law, deemed by the party to be unique or unusual, that are likely to arise in the hearing and legal authorities in support of the party's position.

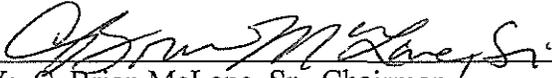
¹ The Panel craves reference to *In re: Contract Controversy – Agricultural Biotechnology/Molecular Biology Complex (Ellis Don Construction, Inc., v. Clemson University)*, Panel Case No. 2005-2 (June 25, 2005, Order of M. Bakker, Hearing Officer).

² The use of pre-filed testimony is greatly encouraged. If used, the testimony should be filed with a copy given to opposing counsel at least 10 days before the day scheduled for hearing. The witness should still appear to declare the document his or her testimony and would be subject to cross-examination. Of course, rebuttal testimony would be given at the time of the hearing.

5. On or before **May 1, 2014**, the parties shall file a joint document identifying which exhibits and other documentary records contained in the initial record before the Panel that each party intends to rely on or introduce at the hearing. This document shall also contain each party's objections to the admission of particular exhibits and the basis of the objections.³
6. Counsel for the CPO shall file comments, if any, to the parties' jointly filed documents on or before **May 8, 2014**.
7. All subpoena requests must be submitted to the Panel's counsel no later than **May 8, 2014**.
8. If desired, the parties may file final pre-hearing briefs on or before **May 8, 2014**.

IT IS SO ORDERED.

SOUTH CAROLINA PROCUREMENT REVIEW PANEL


BY: C. Brian McLane, Sr., Chairman

Date: April 24th, 2014.
Columbia, SC

³ The parties should also stipulate as to which documents can be automatically admitted into evidence. All other documents must be admitted through witness testimony at the hearing.