

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT
Case Type: Civil Other/Misc.
The Honorable John H. Guthmann

In the Matter of the Denial of Contested Case Hearing Requests and Issuance of National Pollutant Discharge Elimination System/State Disposal System Permit No. MN0071013 for the Proposed NorthMet Project St. Louis County Hoyt Lakes and Babbitt Minnesota

Case No. 62-CV-19-4626

**[PROPOSED] ORDER GRANTING
POLY MET MINING, INC.'S MOTION
IN LIMINE TO EXCLUDE EVIDENCE
OF ALLEGED IRREGULARITIES THAT
EXCEED THE SCOPE OF THIS
MATTER**

This matter is before the Court on a Motion in Limine filed by Poly Met Mining, Inc. ("PolyMet"). For the reasons set forth in PolyMet's memorandum in support, and all the files, records and proceedings herein, the Court concludes that the motion is meritorious, and therefore grants the motion.

ACCORDINGLY:

Relators are prohibited from offering evidence of alleged procedural irregularities that exceed the scope of this matter, including evidence regarding Relators' first, sixth, and seventh alleged procedural irregularities, evidence regarding alleged procedural irregularities during environmental review (or other non-NPDES-permitting processes separate from MPCA's approval of the NPDES permit that is at issue in this matter), evidence about alleged irregularities pre-dating PolyMet's 2017 Permit Application, and evidence intended to prove inconsistency between EPA's "substantive expectations and concerns" and the terms of PolyMet's permit.

Dated: _____

The Honorable John H. Guthmann