

1 responses”)¹ was based on the reasonable assumption that there would no outstanding
2 matters after the filing of the last written responses. Applicant’s egregious attempt to submit
3 documentary evidence in its final written response was unanticipated, and necessitated
4 additional briefing.² The original principle should apply, namely, that the record should
5 close 14 days after there are no outstanding matters to address, which would be after the
6 tribunal rules on the Motion. (ABC reiterates that this request to extend the deadline is only
7 applicable if this tribunal believes that the closing of the record impacts or moots ABC’s
8 Motion.)
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11 RESPECTFULLY SUBMITTED this 13th day of March 2019.

12 HOFMEYR LAW PLLC
13 By /s/ Adriane J. Hofmeyr _____
14 Adriane J. Hofmeyr
15 *Attorney for ABC Ambulance, LLC*

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CERTIFICATE OF SERVICE

Original filed using the OAH electronic document filing system
<https://portal.azoah.com/oedf> this 13th day of March, 2019 with copies provided to all
parties on the approved mailing list by posting through the designated OAH website as
<https://portal.azoah.com/oedf/documents/2015A-EMS-0190-DHS/index.html> in
accordance with Case Management Order No. 1.

¹ Case Management Order No. 7.

² The assumption that no further activity would take place after the final responses were filed was reasonable because the *evidentiary phase* of the proceedings closed when the hearing was finally adjourned, and the administrative record was kept open *only* until the post-hearing briefing was completed so that the ALJ’s 30-day statutory deliberative period would not begin to run until the closing briefs were submitted. Keeping the administrative record open for this limited purpose does not give a party free rein to “augment” the closed evidentiary record, as Applicant is attempting to do.