

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

Cathy J. Orler, et al.	)	
	)	
Complainants,	)	
v.	)	Case No. WC-2006-0082, et al.
	)	
Folsom Ridge, LLC,	)	
	)	
and	)	
	)	
Big Island Homeowners	)	
Water and Sewer Association, Inc.,	)	
f/k/a Big Island Homeowners	)	
Association, Inc.	)	
	)	
Respondents.	)	

**RESPONDENTS' MOTION FOR APPOINTMENT OF A  
SPECIAL MASTER FOR TAKING OF ORAL DEPOSITIONS**

Come now Respondents pursuant to Missouri Rule of Civil Procedure 57.06 and for their motion for appointment of a Special Master for taking of oral deposition state as follows:

1. Pursuant to notice served on the parties on January 12, 2006, the undersigned will take the deposition of a designee of the Missouri Department of Natural Resources on Tuesday, January 30, 2007 at 10:00 a.m. at the law offices of Newman, Comley & Ruth P.C.
2. Due to the number of pro se parties in this case, Respondents suggest that appointment of a Special Master to preside at the deposition would assist in the taking thereof.
3. Respondents desire that a Special Master be appointed who will have authority to determine all objections to evidence and to exclude evidence which is not within the scope of discovery as defined in Rule 56.01(b) or in rules of the Commission.
4. Respondents request that the Special Master report a ruling on evidence to the Commission after the completion of the taking of said deposition.

WHEREFORE, Respondents pray that a Special Master be appointed to preside during the January 30, 2007 deposition(s), and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,

/s/ Mark W. Comley

Mark W. Comley #28847  
Newman, Comley & Ruth P.C.  
601 Monroe Street, Suite 301  
P.O. Box 537  
Jefferson City, MO 65102  
(573) 634-2266  
(573) 636-3306 FAX

Charles E. McElyea #22118  
Phillips, McElyea, Carpenter & Welch, PC  
85 Court Circle  
P.O. Box 559  
Camdenton, MO 65020  
(573) 346-7231  
(573) 346-4411 FAX

Attorneys for Folsom Ridge, L.L.C, and Big Island  
Homeowners Water and Sewer Association, Inc.,  
f/k/a Big Island Homeowners Association, Inc.

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 17th day of January, 2007, to General Counsel's Office at [gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov); and Office of Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov) and via U.S. Mail, postage prepaid, to:

Cathy Orler, 3252 Big Island Drive, Roach, MO 65787,  
Cindy Fortney, 3298 Big Island Drive, Roach, MO 65787,  
Dean Leon Fortney, P.O. Box 1017, Louisburg, KS 66053,  
Judy Kenter, 1794 Big Island Drive, Roach, MO 65787,  
Benjamin D. Pugh, 1780 Big Island Drive, Roach, MO 65787,  
Joseph J. Schrader, 1105 Yorktown Pl., DeLand, FL 32720,  
Stan Temares, 371 Andrews Trail Court, St. Peters, MO 63376,  
Ben F. Weir, 3515 SW Meyer Blvd., Blue Springs, MO 64015,

/s/ Mark W. Comley

Mark W. Comley