

BOARD HEARING PARTICIPANTS:

As most participants are aware, hearings before the Board's Administrative Law Judges are conducted in public, with the parties presenting witnesses, documentary evidence, and the like to support their respective positions. On occasion, presentation of a case may involve information that a party contends is confidential, privileged, or otherwise should be afforded protections or safeguards from disclosure.

Parties to Board hearings and their counsel are encouraged to bring these matters to the attention of the other party, the Administrative Law Judge, or the Board's Director as soon as such issues arise or are identified. Ideally, these matters should be addressed before the hearing commences or during the hearing, before a decision is issued. In the event such issues are brought to the attention of the Board after a final decision is rendered, the Board's ability to address the issue and provide a remedy may be limited or waived.