STATE OF NORTH CAROLINA COUNTY OF PERQUIMANS	IN THE OFFICE OF ADMINISTRATIVE HEARINGS 15 EHR 07012
STEPHEN E. OWENS and JILLIANNE G. BADAWI, Petitioners, v. N.C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, DIVISION OF ENERGY, MINERAL AND LAND RESOURCES Respondent, WEYERHAEUSER COMPANY, Respondent-Intervenor, and PASQUOTANK COUNTY, Respondent-Intervenor.	**RESPONDENT'S MOTION FOR SUMMARY JUDGMENT AND REQUEST FOR HEARING**

NOW COMES Respondent, North Carolina Department of Environmental Quality ("NCDEQ"),[1] Division of Energy, Mineral and Land Resources ("Division"), by and through the undersigned counsel, pursuant to 26 N.C.A.C. 03.0101 and Rules 56 of the North Carolina Rules of Civil Procedure, and, for the reasons stated in Respondent's Memorandum in Support of Motion for Summary Judgment filed contemporaneously herewith, moves to for summary judgment in the above-captioned matter. Through this Motion, the Division also requests a hearing on the Division's Motion.

[1] The North Carolina Department of Environment and Natural Resources has been renamed the North Carolina Department of Environmental Quality effective September 18, 2015.

Respectfully submitted this is the 24th day of March, 2016.

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing RESPONDENT'S MOTION FOR SUMMARY JUDGMENT AND REQUEST FOR HEARING has been served on Petitioners and the Respondent-Intervenors by depositing a copy of the same in an official depository of the United States Mail, first class, postage prepaid, and addressed to Petitioner's and Respondent-Intervenors' counsel of record as follows:

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This the 24th day of March, 2016.

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