



United States of America  
**OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION**  
1120 20th Street, N.W., Ninth Floor  
Washington, DC 20036-3457

SECRETARY OF LABOR,

Complainant,

v.

UHS OF DENVER, INC., d/b/a HIGHLANDS  
BEHAVIORAL HEALTH SYSTEM,

Respondent.

OSHRC Docket No. 19-0550

**BRIEFING NOTICE (EXPEDITED SCHEDULE)**

The parties are requested to brief whether the judge erred in drawing an adverse inference against Respondent with respect to the Secretary's burden of proving the economic feasibility of the proposed abatement measures. No other issues should be briefed.

The briefing schedule will be simultaneous and expedited as follows. Opening briefs from both parties are to be filed within 35 days of this notice and shall contain no more than 20 pages of text. Reply briefs are to be filed by both parties within 15 days after the opening briefs are filed and shall contain no more than 15 pages of text. Briefs shall otherwise be filed in accordance with Commission Rule 93.<sup>1</sup> A party not intending to file a brief shall notify the Commission in accordance with Commission Rule 93. Due to the expedited nature of the briefing schedule, requests for extensions of time for filing briefs are strongly discouraged.

BY DIRECTION OF THE COMMISSION

Dated: April 6, 2022

/s/

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John X. Cerveny  
Executive Secretary

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<sup>1</sup> The Commission requests that all briefs include an alphabetical table of authorities with references to the pages on which they are cited, and that an asterisk be placed in the left-hand margin of the table to indicate those authorities on which the brief principally relies. The Commission also requests that copies of cited authority, other than statutes, regulations, case law, law journal articles, and legal treatises, be provided to the Commission and to the opposing party. Parties should be cautioned that these materials will be considered only if appropriate.