

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

07 MAR -6 AM 10:37

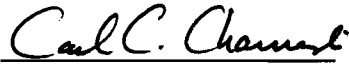
BEFORE THE ADMINISTRATOR

ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

In the Matter of)
)
Howard Johnson's Enterprises, Inc.,) Docket No. FIFRA-07-2007-0002
)
Respondent.)

ORDER TO SHOW CAUSE

On December 4, 2006, an Order Setting Prehearing Procedures issued setting January 5, 2007, as the date by which the parties were to file Opening Prehearing Exchanges. To date, the parties have not filed Opening Prehearing Exchanges, nor have they sought extensions of time for such filing. Accordingly, the parties are ORDERED TO SHOW CAUSE, no later than March 7, 2007, as to why appropriate sanctions should not be assessed for failure to comply with this tribunal's Order of December 4, 2006. 40 C.F.R. 22.17(a).¹


Carl C. Charneski
Administrative Law Judge

Issued: March 2, 2007
Washington, D.C.

¹ The parties may respond to this order by facsimile. 40 C.F.R. 22.5(a)(1).

In the Matter of *Howard Johnson's Enterprises, Inc.*, Respondent
Docket No. FIFRA-07-2007-0002

Certificate of Service

I certify that the foregoing **Order To Show Cause**, dated March 2, 2007, was sent this day in the following manner to the addressees below.



Mary Angeles
Legal Staff Assistant

Original and Copy by Pouch Mail to:

Kathy Robinson
Regional Hearing Clerk
U.S. EPA, Region VII
901 North 5th Street
Kansas City, KS 66101
Fx: 913.551.7925

Copy by Pouch Mail to:

Rupert G. Thomas, Esq.
c/o Kent Johnson, Esq.
Assistant Regional Counsel
U.S. EPA / Region VII
901 North 5th Street
Kansas City, KS 66101
Fx: 913.551.7925

Copy by Regular Mail to:

Katherine E. Lazarski, Esq.
Foley & Lardner, LLP
777 East Wisconsin Avenue
Milwaukee, WI 53202-5306
Fx: 414.297.4900

Dated: March 2, 2007
Washington, D.C.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ADMINISTRATIVE LAW JUDGES
MAIL CODE 1900L
1200 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20460-2001
TELEPHONE 202:564-6255
FACSIMILE: 202-565-0044



FAX TRANSMITTAL PAGE

Date: March 2, 2007

From the office of: Judge Barbara Gunning

Judge Carl Charneski

To: Kathy Robinson, RNC

Fax: 913-581-7925

Of: U.S. EPA, Reg. VII

To: Reput B. Thomson, Esq.
c/o Kent Johnson, Esq.

Fax: 4 4

Of: ARC, Kansas City, KS, Reg. VII

To: Katherine C. Loganski, Esq.

Fax: 414-297-4500

Of: Foley & Sardner LLP

To:

Fax:

Of:

In Re: Howard Johnson's Enterprises
Docket No. AWR 4-07-2007-0502

Urgent For Review For Your Information /Files

No. of Pages (incl. cover): 3

Hard Copy To Be Mailed: Yes, by Pauch & Regular No

REMARKS/COMMENTS:

Type of Document:

b5c

TRANSMISSION JOURNAL

MAR-02-2007 12:44 PM FRI

FAX NUMBER :
NAME :

NO.	NAME/NUMBER	START TIME	TIME	MODE	PAGE	RESULTS
922	919378651923	02-23 09:56AM	01' 02"	ECM	003/003	[O.K]
923	912175223173	02-23 11:24AM	03' 26"	ECM	010/010	[O.K]
924	913128867160	02-23 11:29AM	03' 24"	ECM	001/009	[COMM. ERROR]
925	913128867160	02-23 11:34AM	03' 26"	ECM	009/009	[O.K]
926	913128860747	02-23 11:39AM	00' 00"	G3	000/003	[STOP PRESSED]
927	913128860747	02-23 11:42AM	00' 20"	ECM	001/004	[STOP PRESSED]
928	913126982375	02-23 11:44AM	00' 54"	ECM	004/004	[O.K]
929	913128860747	02-23 11:46AM	00' 24"	ECM	001/004	[COMM. ERROR]
930	913128860747	02-23 11:48AM	00' 26"	ECM	001/004	[COMM. ERROR]
931	913128860747	02-23 11:50AM	00' 22"	ECM	001/004	[COMM. ERROR]
932	913128860747	02-23 11:53AM	00' 32"	ECM	004/004	[O.K]
933	913128860747	02-23 11:55AM	00' 48"	ECM	004/004	[O.K]
934	913128867160	02-23 12:43PM	00' 24"	ECM	002/002	[O.K]
935	913128867160	02-23 02:27PM	00' 42"	ECM	002/005	[COMM. ERROR]
936	913128867160	02-23 02:28PM	00' 00"	G3	000/005	[STOP PRESSED]
937	913128867160	02-23 02:29PM	00' 54"	ECM	005/005	[O.K]
938	912175223173	02-23 02:32PM	01' 34"	ECM	005/005	[O.K]
939	93013458382	02-26 07:11AM	00' 28"	ECM	002/002	[O.K]
940	912154731902	02-26 10:54AM	00' 18"	ECM	002/002	[O.K]
941	95645644	02-26 11:05AM	02' 04"	ECM	010/010	[O.K]
942	2023431803	02-26 02:54PM	00' 00"	G3	000/006	[NO ANSWER]
943	2023431803	02-26 02:58PM	00' 00"	G3	000/006	[NO ANSWER]
944	92023431803	02-26 03:44PM	00' 54"	ECM	006/006	[O.K]
945	912158142603	02-26 03:46PM	01' 04"	ECM	005/005	[O.K]
946	917576243169	02-26 03:47PM	02' 00"	ECM	005/005	[O.K]
947	912158142603	02-26 03:52PM	01' 04"	ECM	005/005	[O.K]
948	913129885572	02-27 10:54AM	00' 30"	ECM	003/003	[O.K]
949	913128869697	02-28 12:07PM	01' 02"	ECM	007/007	[O.K]
950	913176394882	02-28 12:08PM	00' 56"	ECM	007/007	[O.K]
951	913128869697	02-28 12:10PM	01' 02"	ECM	007/007	[O.K]
952	92024143823	02-28 12:22PM	01' 52"	ECM	011/011	[O.K]
953	92028228106	02-28 12:26PM	02' 06"	ECM	011/011	[O.K]
954	92024345029	02-28 12:34PM	01' 46"	ECM	011/011	[O.K]
955	92027767801	02-28 12:41PM	00' 38"	ECM	005/005	[O.K]
956	92024146504	02-28 12:51PM	00' 38"	ECM	005/005	[O.K]
957	92024345029	02-28 12:53PM	01' 54"	ECM	000/005	[LINE ERROR]
958	92024345029	02-28 12:56PM	01' 54"	ECM	005/005	[O.K]
959	92022635370	02-28 12:58PM	01' 12"	ECM	005/005	[O.K]
960	92028228106	02-28 01:04PM	00' 40"	ECM	005/005	[O.K]
961	912165225800	02-28 02:29PM	00' 30"	ECM	002/002	[O.K]
962	912165225800	02-28 05:01PM	00' 00"	G3	000/001	[STOP PRESSED]
963	912165225800	02-28 05:06PM	00' 30"	ECM	002/002	[O.K]
964	95642744	03-01 10:24AM	00' 16"	ECM	002/002	[O.K]
965	95642744	03-01 10:37AM	01' 06"	ECM	007/007	[O.K]
966	913129885572	03-01 11:45AM	00' 56"	ECM	005/005	[O.K]
967	917877297748	03-02 09:22AM	01' 01"	ECM	004/004	[O.K]
968	917877538944	03-02 09:24AM	01' 02"	ECM	004/004	[O.K]
969	919135517925	03-02 12:31PM	00' 34"	ECM	003/003	[O.K]
970	914142974900	03-02 12:32PM	00' 24"	ECM	003/003	[O.K]
971	919135517925	03-02 12:33PM	00' 34"	ECM	003/003	[O.K]

TOTAL TIME : 00:49:33