



Kevin P. Braig  
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February 8, 2008

**VIA FEDERAL EXPRESS**

Regional Hearing Clerk (E-19J)  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

Re: In the Matter of Logan County Water Pollution Control District (Docket No. CWA-05-2007-0004)

Dear Madam or Sir::

Please find enclosed a Joint Motion for Extension of Time to File Pre-Hearing Exchanges and two (2) copies thereof for the above-referenced case. I request that you return one time-stamped file copy of this document to me in the enclosed envelope.

If you have any questions relating to this matter, please do not hesitate to contact me.

Sincerely,

Kevin P. Braig

cc: Diana L. Embil  
Associate Regional Counsel  
Office of the Regional Counsel (Mail Code C-14J)  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

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UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

2008 FEB 11 PM 4:30

BEFORE THE ADMINISTRATOR

In the Matter of )  
)  
) **Docket No. CWA-05-2007-0004**  
)  
**Logan County Water Pollution** )  
**Control, Indian Lake District** ) **Judge Moran**  
**1015 Orchard Island Road South,** )  
**Russells Point, Ohio.** )

**JOINT MOTION FOR EXTENSION OF  
TIME TO FILE PRE-HEARING EXCHANGES**

Pursuant to the Pre-Hearing Order dated December 12, 2007, the Parties hereby respectfully request a 28-day extension of time until **March 10, 2008**, to file their pre-hearing exchanges. The reasons the parties need and request this extension of time are as follows:

1. In the past two weeks, an attorney at the law firm of counsel representing the Respondent Logan County Water Pollution Control District unexpectedly changed employment. As a result of the departure of this attorney, the undersigned attorney has been required to step into other projects and matters for which previously he had no responsibility on an urgent basis. In addition, no other attorney at the firm of the undersigned counsel is knowledgeable on the matters of this case.

2. Upon determining that it would be difficult to meet the current deadline for filing pre-trial exchanges, the undersigned counsel for Respondent contacted the undersigned counsel for the U.S. EPA and requested the extension of time. The undersigned counsel for the U.S. EPA agreed to the 28-day extension of time requested herein.

3. In addition, the undersigned counsel for the U.S. EPA informed the undersigned counsel for the Respondent that she had just returned to work from an unexpected period of hospitalization and anticipated that additional time would be needed to prepare the exchange. Over the past several months, counsel for the U.S. EPA has worked out of the office for health reasons. Thus, the undersigned counsel for the U.S. EPA joins in this motion for an extension of time to file the pre-hearing exchanges.

For all of these reasons, the Parties hereby respectfully request a 28-day extension of time until **March 10, 2008**, to file their pre-hearing exchanges.

4. A proposed order granting the parties' joint motion for the continuance is attached hereto.

Dated: February 8, 2008

*Diana L. Embil / by KPB w/ tele. auth.*  
Diana L. Embil  
Associate Regional Counsel, U.S. EPA, R5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Counsel for U.S. EPA

*Kevin P. Braig*  
Kevin P. Braig  
DINSMORE & SHOHL, LLP  
1 Dayton Centre  
1 South Main Street - Suite 1300  
Dayton, Ohio 45402

Counsel for Respondent Logan  
County Water Pollution Control  
District

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Joint Motion for Extension of Time to file pre-hearing exchanges was sent on this 8<sup>th</sup> day of February, 2008, via Federal Express to the following:

Judge William B. Moran  
U.S. Environmental Protection Agency  
Office of the Administrative Law Judges  
Franklin Court Building  
1099 14<sup>th</sup> Street N.W. Suite 350  
Washington, D.C. 20460

Sonja Brooks-Woodard  
Regional Hearing Clerk  
U.S. EPA  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

*Kevin P. Braig*  
ATTORNEY

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**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

<b>In the Matter of</b>	)	
	)	<b>Docket No. CWA-05-2007-0004</b>
<b>Logan County Water Pollution</b>	)	
<b>Control, Indian Lake District</b>	)	<b>Judge Moran</b>
<b>1015 Orchard Island Road South,</b>	)	
<b>Russells Point, Ohio.</b>	)	

**ORDER GRANTING JOINT MOTION FOR EXTENSION OF  
TIME TO FILE PRE-HEARING EXCHANGES**

For the reasons stated in the parties' joint motion and for good cause shown, the parties' joint motion for extension of time until March 10, 2008, is GRANTED. It is hereby so ordered.

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge William B. Moran  
U.S. Administrative Law Judge

Copies To:

Sonja Brooks-Woodard  
Regional Hearing Clerk  
U.S. EPA  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

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County Water Pollution Control  
District