

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

2008 JUN 11 AM 8:13

BEFORE THE ADMINISTRATOR

EPA REGION VII
HEARING CLERK

IN THE MATTER OF:

THE THREE AFFILIATED TRIBES
and YOLANDA BEARS TAIL, individually,

Respondents

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Docket No. RCRA-08-2008-0002

**ORDER ON RESPONDENT'S MOTION FOR EXTENSION OF TIME
FOR FILING OF PREHEARING EXCHANGE**

By Prehearing Order dated March 28, 2008, the parties were directed to file prehearing exchanges, and the due date set therein for Respondents' prehearing exchange was June 6, 2008. On June 6, 2008, Respondents filed a Motion for Extension of Time for Filing Prehearing Exchange, requesting an extension of 30 days.

In support of the Motion, Respondents state that the parties have been actively engaged in settlement negotiations and have agreed to a settlement in principle, and that unforeseen technical issues have arisen that have delayed finalizing the consent agreement between the parties.

The Motion is hereby **GRANTED**. Good cause exists for the granting of the Motion in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than litigate the matter to conclusion. In that a hearing in this case has not been scheduled, no prejudice will result from a brief delay.

Accordingly, Respondent shall file its prehearing exchange on or before **July 7, 2008**, if the fully executed Consent Agreement and Consent Order (CAFO) is not yet filed by that date.



Susan L. Biro
Chief Administrative Law Judge

Date: June 6, 2008
Washington, D.C.

In the Matter of The Three Affiliated Tribes and Yolanda Bears Tail, individually, Respondent
Docket No. RCRA-08-2008-0002

CERTIFICATE OF SERVICE

I certify that the foregoing **Order On Respondent's Motion For Extension Of Time For Filing Of Prehearing Exchange**, dated June 6, 2008, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: June 6, 2008

Original And One Copy By Pouch Mail To:

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