



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

In the Matter of: )  
)  
Tony L. Brown and Joshua A. Brown ) Docket No. CWA-07-2016-0053  
d/b/a/ Riverview Cattle, )  
)  
Respondents. )

**ORDER ON JOINT MOTION FOR EXTENSION OF TIME**

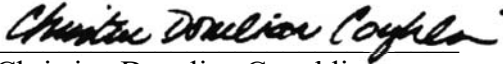
By Order issued on March 13, 2018, I directed the parties in this matter to provide, by March 30, 2018, any dates of conflict for counsel and its proposed witnesses during the months of June, July, and September of 2018, in anticipation of scheduling an evidentiary hearing in this matter. On March 29, 2018, Complainant filed a Joint Notice of Availability for Hearing and Motion for Extension of Time (“Joint Motion for Extension of Time”), on behalf of both parties in this matter. In the Joint Motion for Extension of Time, the parties identify only one preferred week of availability for a hearing over the duration of the three-month period for which information regarding conflicts was solicited. As a caveat, however, to this proposed single week of availability, the parties indicate that they were unable to confirm the availability of a witness both parties propose to introduce at hearing, Lois Benson. As a result, the parties jointly request that I extend the deadline for notification of conflicts set in the Order issued on March 13, 2018, to April 6, 2018.

The rules that govern this proceeding, set forth at 40 C.F.R. Part 22, authorize the Presiding Officer to grant an extension of time for filing of any document for good cause shown upon motion, after consideration of prejudice to the other parties. 40 C.F.R. § 22.7(b). As the parties’ request for extension shows good cause and is agreed upon by the parties, granting it is appropriate. Accordingly, the Joint Motion for Extension of Time is hereby **GRANTED**. Given the very limited availability for a hearing indicated by the parties in the Joint Motion for Extension of Time, the parties and their witnesses should be advised that an evidentiary hearing may be set in October 2018, in order to overcome the reported conflicts in June, July, and September 2018, and should plan their schedules accordingly so as not to further delay adjudication of this matter.<sup>1</sup>

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<sup>1</sup> This provides the parties and their witnesses over six months of advance notice for purposes of scheduling.

**SO ORDERED.**

  
Christine Donelian Coughlin  
Administrative Law Judge

Dated:  
March 29, 2018  
Washington, D.C.

In the Matter of *Tony L. Brown and Joshua A. Brown, d/b/a Riverview Cattle*, Respondents.  
Docket No. CWA-07-2016-0053

**Certificate of Service**

I hereby certify that copies of the foregoing Order on Joint Motion for Extension of Time, dated and issued by Administrative Law Judge Christine Donelian Coughlin on March 29, 2018, were sent this day to the following parties in the manner indicated below.



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Andrea Priest  
Attorney Advisor

Original and One Copy by Hand Delivery to:

Mary Angeles  
Headquarters Hearing Clerk  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
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**Dated: March 29, 2018**  
**Washington, D.C.**