

**In re: Polo Development, Inc., AIM Georgia, LLC, and
Joseph Zdrilich
CWA Appeal No. 16-02**

Exhibit E

Extension Request, with accompanying envelope.

COPY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of :

Polo Development, Inc.,
AIM Georgia, L.L.C., and
Joseph Zdrilich

Respondents

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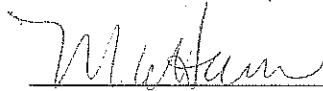
Docket No. CWA-05-2013-0003

**RESPONDENTS' MOTION FOR EXTENSION OF TIME TO FILE NOTICE OF
APPEAL FROM DECISION DATED DECEMBER 1, 2015 AND APPEAL BRIEF**

Pursuant to 40 C.F.R. §22.7(b), Respondents Polo Development, Inc., AIM Georgia, L.L.C., and Joseph Zdrilich move for an extension of time until June 15, 2016 to file a notice of appeal and appeal brief from the order issued in this case on December 1, 2015. Respondents state in support of this motion that its previous counsel was, unbeknownst to Respondents subject to proceedings by the Ohio Bar which resulted in the suspension of the attorney from practice. Also unbeknownst to Respondents, that prior attorney either did not take necessary steps to appeal the civil penalty, or improperly took steps to perfect such an appeal. Respondents have recently engaged new counsel who wishes to properly assert Respondent's appeal rights. New counsel needs a reasonable period of time to review the file and prepare the necessary papers to properly file an appeal. The governing regulations afford this body discretion to adjust applicable time periods in such a way that Respondents will preserve their appeal rights. Under the circumstances of this case, permitting a delayed appeal would promote the interests of due process of law and justice. For the reasons set forth in this motion, Respondents should be

granted until June 15, 2016 to file the requisite notice of appeal from the December 1, 2015 decision and the appeals brief.

Respectfully submitted,



MARK A. HANNI (0077475)

839 Southwestern Run

Youngstown, OH 44514

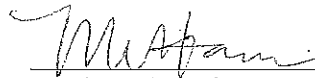
330.726.7777 – phone

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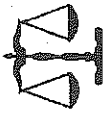
CERTIFICATE OF SERVICE

The foregoing Motion of Respondents for Extension of Time to File Notice of Appeal and Appeal Brief was sent by electronic mail and regular United States Mail to Richard J. Clairizio, Esq., U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604 on the 18th day of May 2016.



Mark A. Hanni

Attorney for Respondents



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