

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION VII  
KANSAS CITY, KANSAS

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ENVIRONMENTAL PROTECTION  
AGENCY-REGION VII  
REGIONAL HEARING CLERK

In the Matter of: )  
Learjet Inc. )  
RCRA ID KSD007234313, ) RCRA-07-2005-0402  
Respondent )

**LEARJET'S UNOPPOSED MOTION TO EXTEND  
TIME TO ANSWER OR OTHERWISE RESPOND**

Respondent Learjet Inc. (Learjet) pursuant to 40 CFR §22.7(b) moves the Presiding Officer to extend the deadline for filing Learjet's answer or other response to the United States Environmental Protection Agency's (EPA) Complaint, Compliance Order, and Notice of Opportunity for Hearing by 30 days, to and including December 7, 2005. The purpose for this extension is to allow the parties to engage in meaningful settlement discussions without the distractions of ongoing administrative litigation activities.

In support of this motion Learjet states the following:

1. On September 30, 2005, EPA filed its Complaint, Compliance Order and Notice of Opportunity for Hearing and served Learjet by certified mail on October 6, 2005.
2. Pursuant to 40 CFR §22.15 Learjet's answer is due November 7, 2005.
3. Pursuant to 40 CFR § 7(b) Learjet requests an additional 30 days in which to file its answer or other response.
4. James Price, counsel for Learjet, has discussed this matter with Jonathan Meyer, EPA's assistant regional counsel representing EPA in this matter. They are scheduling an informal

settlement conference. An extension of Learjet's deadline to file its answer and response will provide the necessary time to schedule and hold this meeting.

5. Mr. Meyer does not oppose this motion.

6. This is Learjet's first request for an extension of time. Granting this extension will not prejudice any of the parties and will not affect any other proceedings in this matter.

**WHEREFORE**, Respondent Learjet requests the Presiding Officer extend the deadline for filing Learjet's response to EPA's Compliant, Compliance Order and Notice of Opportunity for Hearing by 30 days, to and including December 7, 2005. A form of order accompanies this motion.

Respectfully submitted,

SPENCER FANE BRITT & BROWNE LLP



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**ATTORNEYS FOR LEARJET INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 28 day of October, 2005, the original and one copy of the foregoing Learjet's Unopposed Motion to Extend Time and form of Order were hand-delivered to:

Regional Hearing Clerk  
United States Environmental Protection Agency  
Region VII  
901 N. 5th Street  
Kansas City, KS 66101

and sent by U.S. Mail to:

Jonathan W. Meyer, Esq.  
Office of Regional Counsel  
United States Environmental Protection Agency  
Region VII  
901 N. Fifth Street  
Kansas City, KS 66101

  
\_\_\_\_\_  
Attorney for Learjet Inc.

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In the Matter of: )  
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Learjet Inc. )  
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RCRA ID KSD007234313, )  
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Respondent )

**ORDER GRANTING LEARJET'S MOTION FOR  
EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND**

Upon Learjet's Unopposed Motion for Extension of Time to Answer or Otherwise Respond,  
for good cause shown, and without objection by EPA:

IT IS HEREBY ORDERED that the deadline for Learjet to file its answer or other response  
to EPA's Complaint, Compliance Order and Notice of Opportunity for Hearing shall be extended by  
30 days, to and including December 7, 2005.

\_\_\_\_\_  
Presiding Officer

DATED: \_\_\_\_\_