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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
ANTHONY LERMA,) DOCKET NO. CWA-10-2008-0009
RESPONDENT.)

**RESPONDENT'S SUPPLEMENTAL
PREHEARING INFORMATION**

David H. Shoup, Esq.
TINDALL BENNETT & SHOUP
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Anchorage, AK 99501
907/278-8533

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RESPONDENT'S SUPPLEMENTAL PREHEARING INFORMATION

Respondent Anthony Lerma, by and through counsel and pursuant to 40 C.F.R. §22.19(f), supplements his prehearing information as follows:

A. Witnesses.

In addition to the witness previously listed, respondent intends to call Jeff Perry, Mr. Lerma's accountant. Mr. Perry will offer testimony regarding Mr. Lerma's financial ability to pay the proposed penalty.

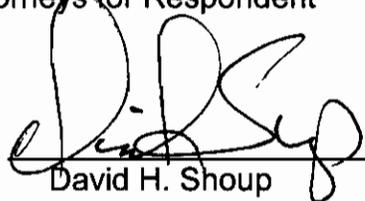
B. Documents

Copies of the documents Respondent intends to introduce into evidence relating to Mr. Lerma's ability to pay the penalty proposed have been attached. Respondent intends to introduce some or all of these documents into evidence.

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DATED in Anchorage, Alaska this 25th day of September, 2008..

TINDALL BENNETT & SHOUP
Attorneys for Respondent

By: 
David H. Shoup
ABA No. 8711106

I HEREBY CERTIFY that on the 25th day
of September, 2008, a true and correct copy of the
foregoing was sent to the following via:

MAIL HAND DELIVERED FAX

Original & Copy for Filing:

Carol Kennedy
Regional Hearing Clerk
U.S. EPA, Region X
1200 Sixth Avenue
Seattle, WA 98101

Administrative Law Judge:

Judge Barbara A. Gunning
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Ave., NW
Washington, DC 20460-2001

EPA Counsel:

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By: 
Tindall Bennett & Shoup

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