

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2015 JUL 28 PM 1:09

DOCKET NO.: SDWA-08-2013-0058

FILED  
EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF )  
)  
MACKAY INVESTMENTS, LLC ) **COMPLAINANT'S**  
) **REQUEST TO WITHDRAW**  
) **MOTION FOR DEFAULT**  
Jackson Hole Camp Ground )  
Public Water System )  
)  
PWS ID# WY5600520 )  
)  
Respondent. )

On May 19, 2015, Complainant, U.S. Environmental Protection Agency (EPA) Region 8, filed a Motion for Default (Motion) against Respondent, Mackay Investments, LLC, seeking a finding of default for failure to file an answer to the September 18, 2013, complaint filed in this action.

On June 30, 2015, the Presiding Officer issued an Order to Supplement the Record and Order to Show Cause. During a June 30, 2015, phone conversation between Respondent and Complainant, Respondent indicated its intention to pay the penalty amount pled by Complainant in its Motion, an amount totaling \$6,949.38. On July 8, 2015, Complainant received confirmation that Respondent had paid said amount in full.

On July 6, 2015, pursuant to Complainant's request, the Presiding Officer issued an Order Granting Extension of Time to Supplement the Record. An extension was granted with a new deadline of July 29, 2015. On July 23, 2015, Complainant provided Respondent with a Consent Agreement (Agreement) to document settlement of this action. On July 27, 2015, Complainant received a signed original of the Agreement from Respondent. Complainant has also signed such Agreement and the Agreement is being filed concurrently with this Motion.

As Complainant and Respondent have settled this matter, Complainant requests that this Court withdraw the May 19, 2015, Motion for Default filed in this matter.

Respectfully submitted,  
United States Environmental Protection Agency  
Region 8

Complainant.

DATE:

7/28/15

BY:

  
Mia Bearley  
Enforcement Attorney

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the original and one true copy of the **COMPLAINANT'S REQUEST TO WITHDRAW MOTION FOR DEFAULT** was hand-carried to the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, Colorado, and that a true copy of the same was sent by U.S. Postal Service, as indicated below:

to

Mr. Jamie Mackay, Registered Agent  
Mackay Investments, LLC  
2780 North Moose Wilson Road  
P.O. Box 1827  
Wilson, WY 83014

and hand-carried, one copy to

Hon. Elyana R. Sutin  
Regional Judicial Officer  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

Date: 7/28/15

By: Sue Zaynard  
for Dayle Aldinger