

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2009 DEC 16 AM 11:20
REGIONAL HEARING
CLERK

IN THE MATTER OF:)
)
Landmark at Rahway, LLC,) Docket No. CWA-02-2009-3405
)
Respondent.)

ORDER GRANTING JOINT MOTION FOR TEMPORARY STAY

By Initial Prehearing Order dated September 29, 2009, the proceedings in this matter were stayed until December 8, 2009, upon the parties' joint request, on the basis that they were arranging for a mediator to facilitate resolution of this case. On December 11, 2009, Complainant submitted a Joint Motion for Temporary Stay of the Administrative Proceeding, requesting a further stay of proceedings for two weeks, until December 28, 2009.

The Motion states that the mediation has been productive, and the parties have made substantial progress toward settlement, and anticipate that a settlement may be reached and memorialized within two weeks.

The Motion is hereby **GRANTED**. Good cause exists for the granting of the Motion in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than litigate the matter to conclusion. In that a hearing in this case has not been scheduled, no prejudice will result from a brief delay.

Two weeks may not be sufficient time to reach a settlement, draft a Consent Agreement and Consent Order, and obtain all approvals and signatures, particularly considering the holiday season.

Accordingly, the parties shall file the fully executed CAFO on or before **January 8, 2010**. **The parties are hereby reminded that failure to submit the CAFO in a timely manner may result in entry of an order of dismissal or default, as appropriate, without further notice.**



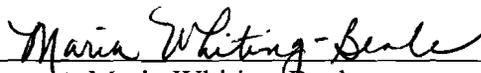
Susan L. Biro
Chief Administrative Law Judge

Date: December 14, 2009
Washington, D.C.

In the Matter of Landmark at Rahway, LLC, Respondent
Docket No. CWA-02-2009-3405

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Joint Motion For Temporary Stay**, dated December 14, 2009, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Staff Assistant

Dated: December 15, 2009

Original And One Copy By Pouch Mail To:

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