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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN THE MATTER OF: )  
 )  
Frozen Assets Cold Storage, LLC, )  
 )  
 ) DOCKET NO. CAA-05-2008-0002  
 )  
Respondent. )

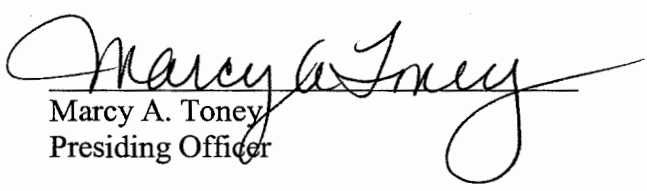
**ORDER GRANTING MOTION FOR EXTENSION OF TIME**

On April 30, 2008, Respondent filed its fourth Agreed Motion For Extension of Time to Answer the Complaint filed in this action.<sup>1</sup> At a conference call convened to discuss the motion, Counsel for Complainant stated that a settlement in principle has been reached, but that Complainant is waiting to receive a copy of Respondent's 2007 tax returns in order to evaluate its ability to pay a penalty in this matter. Respondent's counsel advised that Respondent is currently experiencing financial difficulties. He anticipates that Respondent's 2007 tax return should be available in one to two months.

Accordingly, it is hereby ORDERED that Respondent shall have until **July 7, 2008**, in which to file its answer or otherwise plead. By that time, the Complaint will be almost eight months old. No further extensions of time will be granted.

IT IS SO ORDERED.

Date: May 19, 2008

  
Marcy A. Toney  
Presiding Officer

<sup>1</sup> The Presiding Officer did not receive a copy of this motion, but was advised by counsel via email on May 14, 2008, that the motion had been filed. Complainant's counsel was copied on the email.

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IN THE MATTER OF Frozen Assets Cold Storage, LLC, Respondent  
Docket No. CAA-05-2008-0002

CERTIFICATE OF SERVICE

I certify that the foregoing Order Granting Motion for Extension of Time, dated May 19, 2008, was sent this day in the following manner to the addressees:

Original hand delivered to:

Regional Hearing Clerk  
U.S. Environmental Protection  
Agency, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

Copy hand delivered to  
Attorney for Complainant:

William Wagner  
U.S. Environmental Protection  
Agency, Region 5  
Office of Regional Counsel  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

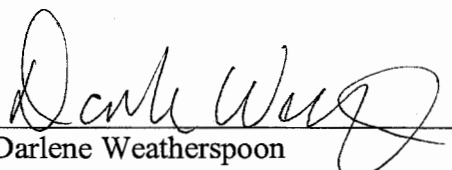
Copy by fax  
(312-207-6400) to:

Edward V. Walsh, III  
Reed Smith Sachnoff & Weaver, LLP  
10 South Wacker Drive, 40<sup>th</sup> Floor  
Chicago, IL 60606

Dated:

5/19/08

By:

  
Darlene Weatherspoon  
Administrative Program Assistant