



UNITED STATES  
 ENVIRONMENTAL PROTECTION AGENCY  
 BEFORE THE ADMINISTRATOR

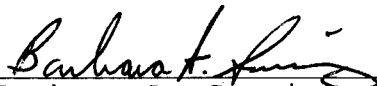
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IN THE MATTER OF )  
 )  
 DAVID D'AMATO, ) DOCKET NO. CWA-10-2010-0132  
 )  
 RESPONDENT )

ORDER GRANTING MOTION TO EXTEND TIMES FOR  
FILING THE PREHEARING EXCHANGE

By Order issued on September 10, 2010, the parties in this matter were directed to file their prehearing exchanges ("PHE") according to the following schedule: November 5, 2010 (Complainant's Initial PHE), December 3, 2010 (Respondent's PHE), December 17, 2010 (Complainant's Rebuttal PHE).

Complainant's PHE was filed on November 5, 2010. On December 9, 2010, Complainant filed a Motion to Extend Times for Filing of Respondent's Prehearing Exchange and Complainant's Rebuttal Prehearing Exchange ("Motion") requesting that the Respondent's PHE now be due on January 7, 2011, and Complainant's rebuttal PHE be due 14 days after Respondent's PHE is filed with the Regional Hearing Clerk. In support of its Motion, Complainant offers a narrative explanation and tracking screenshot from the U.S. Postal Service showing that Complainant's PHE was not claimed by Respondent until December 8, 2010, when Complainant notified Respondent of the package's existence. Complainant states that Respondent concurs in this Motion. For good cause shown, this unopposed Motion is **GRANTED**. Respondent's PHE shall be due on or before January 7, 2011, and Complainant's rebuttal PHE within 14 days after Respondent's PHE is filed.

  
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 Barbara A. Gunning  
 Administrative Law Judge

Dated: December 15, 2010  
 Washington, D.C.

**In the Matter of *David D'Amato*, Respondent.  
Docket No. CWA-10-2010-0132**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Motion to Extend Times for Filing the Prehearing Exchange**, dated December 15, 2010, was sent this day in the following manner to the addressees listed below.



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Mary Angeles  
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

Carol Kennedy  
Regional Hearing Clerk  
U.S. EPA, Region X  
1200 Sixth Avenue, ORC-158  
Seattle, WA 98101

Copy by Pouch Mail to:

Jennifer L. Byrne, Esq.  
Assistant Regional Counsel  
ORC, U.S. EPA, Region X  
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Copy by Regular Mail to:

David D'Amato  
17211 Kings Way Drive  
Anchorage, AK 99516

Dated: December 16, 2010  
Washington, DC