

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII

901 North 5th Street

KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)

Fivestar Realty, Inc.)

Respondent)

) Docket No. TSCA-07-2009-0011

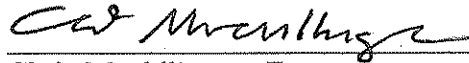
) MOTION FOR EXTENSION OF
) ALTERNATIVE DISPUTE RESOLUTION
)

Complainant and Respondent jointly move for an extension of time to complete alternative dispute resolution ("ADR") for the above-captioned matter with Judge Spencer T. Nissen pursuant to Judge Nissen's April 28, 2009 Order Initiating Alternative Dispute Resolution Process and Appointing Neutral ("Order").

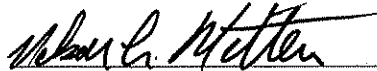
The Order terminates ADR on June 29, 2009. However, during the ADR conference on June 24, 2009, Complainant agreed to Respondent's submittal of ability to pay documentation pursuant to settlement of the matter. As a result, the parties agree to and request a thirty (30) day extension to allow for thorough review of the documentation and any other settlement proposals offered by the parties. If Complainant and Respondent have not reached settlement of this matter within thirty days, the parties agree that ADR will terminate July 29, 2009.

For good cause shown, Complainant and Respondent respectfully request that the Presiding Officer extend the deadlines to terminate ADR as described herein.

RESPECTFULLY SUBMITTED this 29th day of June, 2009.



Chris Muehlberger, Esq.
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Region VII
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I certify that the foregoing "Motion for Extension of Alternative Dispute Resolution" was sent to the following persons, in the manner specified, on the date below:

Original and one copy by hand delivery:

Kathy Robinson
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region VII
901 North 5th Street
Kansas City, Kansas 66101

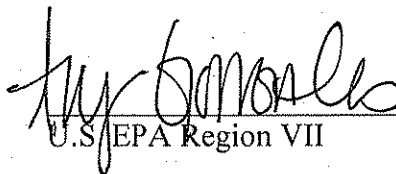
Copy, by pouch mail and facsimile:

Honorable Spencer T. Nissen
Administrative Law Judge
EPA Office of Administrative Law Judges
Mail Code 1900L
Aerial Rios Building
Washington, D.C. 20460
FAX: (202) 565-0044

Copy, by first class and electronic mail:

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Dated: 6/29/07



U.S. EPA Region VII