

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7

901 NORTH FIFTH STREET  
KANSAS CITY, KANSAS 66101

11 JAN 19 10 10: 47  
ENVIRONMENTAL PROTECTION  
AGENCY REGION VII  
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

<p>IN THE MATTER OF MORAN BEEF, INC.,  Respondent</p>	<p>MOTION TO RESCHEDULE HEARING (UNOPPOSED)  Docket No. CWA-07-2010-0080</p>
---	--

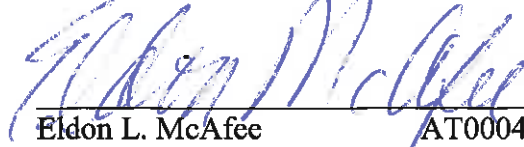
COMES NOW the Respondent, Moran Beef, Inc., by and through his attorney, Eldon L. McAfee, and for its Unopposed Motion to Reschedule Hearing Date, states:

1. Hearing in this matter has been scheduled by Order of the Court for May 16, 2011.
2. The undersigned counsel for Respondent has a previously scheduled trial for the time period that the hearing is scheduled to occur.
3. Respondent and Complainant have jointly corresponded with the Court to reschedule the hearing for April 6, 2011.
4. Respondent has discussed this motion with Complainant and Complainant consents to this Motion to Reschedule Hearing for April 6, 2011.


WHEREFORE Respondent respectfully requests that the Court issue an Order rescheduling the hearing in this matter from May 16, 2011 to April 6, 2011. Further, Respondent requests that the Court's Order reset any pre-hearing deadlines to be consistent with the rescheduled hearing date.

Dated this 13th day of January, 2011.

BEVING, SWANSON & FORREST, P.C.

  
Eldon L. McAfee AT0004987

321 E. Walnut, Suite 200  
Des Moines, IA 50309  
Telephone: (515) 237-1188  
Facsimile: (515) 288-9409  
[emcafee@bevinglaw.com](mailto:emcafee@bevinglaw.com)

<b>CERTIFICATE OF SERVICE</b>	
The undersigned certifies that the foregoing instrument was served upon each of the attorneys of record of all parties to the above-entitled cause herein at their respective addresses disclosed on the pleadings of record on the <u>14<sup>th</sup></u> day of <u>January</u> , 20 <u>11</u> .	
By:	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> FAX <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Courier <input type="checkbox"/> Federal Express <input type="checkbox"/> Other: _____
Signature:	<u></u>

Original and one copy to:

Regional Hearing Clerk  
U.S. EPA  
Region VII  
901 North 5<sup>th</sup> Street  
Kansas City, KS 66101

Copy by regular U.S. Mail to:

Judge Barbara A. Gunning  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
1200 Pennsylvania Ave. NW  
Mail Code 1900L  
Washington, DC 20460

Chris Muehlberger, Asst. Regional Counsel  
U.S. EPA  
Region VII  
901 North 5<sup>th</sup> Street  
Kansas City, KS 66101

110113