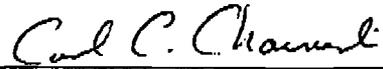


**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

In the ADR Matter of )  
 ) Docket No. FIFRA-07-2005-0235  
Yates Center Elevator, Inc. )  
 )  
Respondent )

**REPORT RECOMMENDING TERMINATION OF  
ALTERNATIVE DISPUTE RESOLUTION**

During a conference call with the parties on July 11, 2005, EPA was instructed to provide a joint status report to the undersigned neutral no later than July 26, 2005. Specifically, the status report was to inform the neutral whether ADR was needed and, if so, the issues that remained outstanding. To date, no such status report has been filed. Accordingly, it is recommended that ADR be terminated.

  
\_\_\_\_\_  
Carl C. Charneski  
Administrative Law Judge

  
\_\_\_\_\_  
Susan L. Biro  
Chief Administrative Law Judge

Dated: 8/8/05  
\_\_\_\_\_  
Washington, D.C.

In the ADR Matter of *Yates Center Elevator, Inc.*, Respondent.  
Docket No. FIFRA-07-2005-0235

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution**, dated August 8, 2005, was sent in the following manner to the addressees listed below.

  
\_\_\_\_\_  
Mary Angeles  
Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

Kathy Robinson  
Regional Hearing Clerk  
U.S. EPA-Region VII  
901 North 5<sup>th</sup> Street  
Kansas City, KS 66101  
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Copy by Facsimile and Pouch Mail to:

Chris R. Dudding, Esq.  
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U.S. EPA-Region VII  
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Fx: 913.551.7925

Copy by Facsimile and First Class Mail

John T. Davis  
Yates Center Elevator, Inc.  
109 N. Pratt  
Yates Center, KS 66783

**Dated: August 8, 2005**  
**Washington, DC**

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF ADMINISTRATIVE LAW JUDGES  
MAIL CODE 1900L



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Date: 8/9/05

From the office of: Judge Barbara Gunning

Judge Carl Charneski

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Of: Gates Center Elements

Re: Gates Center Elements, Inc.

Docket No. FIFRA-07-2805-0235

- Urgent
- For Review
- For Your Information /Files

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REMARKS/COMMENTS:

Questions Or Problems May Be Directed by calling Mary Angeles at (202) 564-6281 or the front desk at (202) 564-6255.