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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

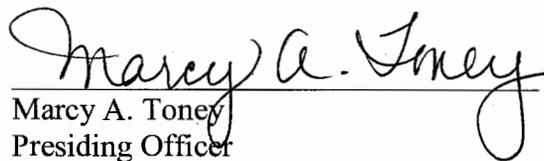
In a conference call held today, Complainant's counsel advised that U.S. EPA has required more time than anticipated in reviewing the documentation submitted by Respondent to substantiate its claim that it is unable to pay a substantial penalty in this matter. Counsel for both parties state that a penalty amount has been agreed to and that a settlement should ultimately be reached.

Accordingly, good cause exists for the granting of Respondent's motion for extension of time to answer or otherwise plead. It is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than litigate the matter. It is hereby ORDERED that Respondent shall have until **August 22, 2008**, in which to file its answer or otherwise plead.

Counsel for both parties are requested to jointly contact the Presiding Officer immediately by telephone should it become unlikely that a Consent Agreement and Final Order will be filed in this matter by August 22, 2008.

IT IS SO ORDERED.

Date: July 29, 2008



Marcy A. Toney
Presiding Officer

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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 July 29, 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

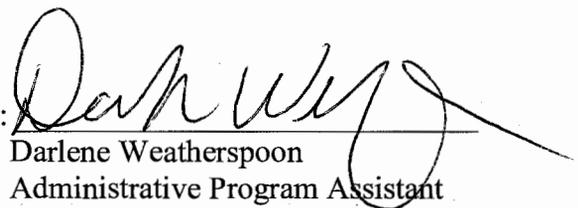
Copy by fax
(312-207-6400) to:

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

Dated:

7/29/08

By:


Darlene Weatherspoon
Administrative Program Assistant