

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

2009 OCT 30 PM 1:00

BEFORE THE ADMINISTRATOR


EPA REGION VIII
HEARING CLERK

In the Matter of)
)
Old Orchard, LLC and Meridian Commercial) Docket No. CWA-08-2009-0015
Construction, LLC,)
)
Respondent)

**ORDER TERMINATING ALTERNATIVE DISPUTE RESOLUTION PROCESS
AND RETURNING PROCEEDING TO THE CHIEF ADMINISTRATIVE LAW JUDGE**

Although the parties are actively engaged in settlement discussions, no settlement has been reached. The Alternative Dispute Resolution process expired on October 19, 2009. Accordingly, this matter is returned to the Chief Administrative Law Judge for assignment to the litigation docket.

Dated this 23rd day of October 2009.


Spencer T. Nissen
Administrative Law Judge

So Ordered.


Issued: October 23, 2009
Washington, D.C.

In the ADR matter of *Old Orchard, LLC and Meridian Commercial Construction, LLC*,
Respondent.

Docket No. CWA-08-2009-0015

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Terminating Alternative Dispute Resolution Process and Returning Proceeding to the Chief Administrative Law Judge**, issued October 23, 2009, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

Tina Artemis
Regional Hearing Clerk
U.S. EPA / Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129

One Copy by Pouch Mail to:

Peggy Livingston, Esq.
Enforcement Counsel (8ENF-L)
U.S. EPA / Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129

One Copy by Regular Mail to:

Kim E. Brust, Esq.
Conny Feste Ltd.
406 Main Avenue
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Fargo, ND 58108-2686

James R. Bullis, Esq.
Kyle G. Pender, Esq.
Montgomery Goff & Bullis, PC
4650 38th Avenue S, Suite 110
P.O. Box 9199
Fargo, ND 58106-9199

Dated: October 23, 2009
Washington, D.C.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 OFFICE OF ADMINISTRATIVE LAW JUDGES
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FAX TRANSMITTAL PAGE

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 Judge Spencer Nissen

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Re:
 Docket No. CWA - U.S. EPA 2004-8015

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Respondent.
Docket No. CWA-08-2009-0015

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