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2008 APR 17 AM 8: 17

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX

REGIONAL HEARING CLERK

IN THE MATTER OF:	)	
	)	
U.S. Pole Company, Inc.,	)	U.S. EPA Docket No.
Respondent	)	CAA-09-2007-0031
	)	

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ORDER GRANTING RESPONDENT'S FIFTH MOTION FOR EXTENSION  
OF TIME TO FILE ANSWER

By motion filed April 16, 2008, Respondent, U.S. Pole Company, Inc. seeks a thirty (30) day extension of time, up to and including May 21, 2008, to file an answer to the Complaint. Complainant's counsel does not object to Respondent's proposed extension of time to file an answer.

Consolidated Rules of Practice, 40 C.F.R. § 22.07(b), provides that a motion for extension of time may be granted "for good cause shown, and after consideration of prejudice to other parties."

On the basis of Respondent's motion, it appears that good cause exists for the extension of time, and there will be no prejudice to either party from granting the requested extension.

IT IS THEREFORE ORDERED THAT:

The time for Respondent to answer the Complaint and request a hearing is extended to and including May 21, 2008.

Dated: 04/16/08

  
 Steven L. Jawgiel  
 Regional Judicial Officer

## CERTIFICATE OF SERVICE

I hereby certify that the original of the foregoing **ORDER GRANTING RESPONDENT'S FIFTH MOTION FOR EXTENSION OF TIME TO FILE ANSWER** in the matter of **U.S. Pole Company, Inc., Docket # CAA-09-2007-0031**, signed Steven L. Jawgiel, Regional Judicial Officer, was served on each of the parties at the address given below by mailing first class as here indicated:

Daniel Reich, Esq.  
Assistant Regional Counsel  
U. S. EPA, Region 9  
75 Hawthorne Street, ORC-2  
San Francisco, California 94105

Hand Delivered

Patricia M. O'Toole, Esq.  
THE O'TOOLE LAW FIRM  
P.O. Box 352348  
Los Angeles, California 90035-0260

First Class Mail

Dated at San Francisco, California, this 17th day of May, 2008



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Danielle E. Carr  
Regional Hearing Clerk  
U.S. EPA, Region 9