



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Special Interest Auto Works, Inc., and) Docket No. CWA-10-2013-0123
Troy Peterson,)
)
Respondents.)

**ORDER ON SECOND JOINT MOTION FOR EXTENSION OF TIME TO CONDUCT
DISCOVERY AND SCHEDULE HEARING DATE**

By Order dated October 13, 2015, I directed the parties to conclude all discovery matters and file a Joint Status Report stating revised estimates for the number of days of hearing needed to present each party's case-in-chief no later than 60 days following the date of the Order. The parties subsequently informed this Tribunal that they reached a settlement in principle in this matter, and filed an initial Joint Motion for Extension of Time to Conduct Discovery and Schedule Hearing Date ("Initial Joint Motion") on November 12, 2015, requesting that the period of time for conducting discovery and scheduling a hearing be extended to February 1, 2016, in order to allow time for the parties to fully execute and file a Consent Agreement and Final Order ("CAFO"). By Order dated November 13, 2015, I granted the parties' Initial Joint Motion, thereby extending the deadline for the parties to conclude discovery matters and file a Joint Status Report to February 1, 2016, unless this matter concluded by a fully executed and filed CAFO prior to that date.

On February 1, 2016, the parties filed a second Joint Motion for Extension of Time to Conduct Discovery and Schedule Hearing Date ("Second Joint Motion"), representing that a CAFO in this matter is being routed for signature, and requesting that the period of time for conducting discovery and scheduling a hearing be extended to February 29, 2016. In the Second Joint Motion, the parties state that they anticipate fully executing and filing a CAFO resolving this matter no later than February 26, 2016.

The rules that govern this proceeding, set forth at 40 C.F.R. Part 22, authorize the Presiding Officer to grant an extension of time for filing of any document for good cause shown upon motion, after consideration of prejudice to the other parties. 40 C.F.R. § 22.7(b). As the parties' request for an extension shows good cause and is agreed upon by the parties, granting the requested extension is appropriate. Accordingly, the Second Joint Motion is hereby **GRANTED**. The parties shall conclude all discovery matters, including all depositions, and file a Joint Status Report stating revised estimates for the number of days of hearing needed to

present each party's case-in-chief no later than February 29, 2016, unless this matter is concluded by a fully executed and filed CAFO prior to that date.

SO ORDERED.



Christine Donelian Coughlin
Christine Donelian Coughlin
Administrative Law Judge

Dated: February 10, 2016
Washington, D.C.

**In the Matter of *Special Interest Auto Works, Inc. and Troy Peterson*, Respondents.
Docket No. CWA-10-2013-0123**

CERTIFICATE OF SERVICE

I hereby certify that true copies of this **Order on Second Joint Motion for Extension of Time to Conduct Discovery and Schedule Hearing Date**, issued by Christine D. Coughlin, Administrative Law Judge, dated February 10, 2016, were sent to the following parties in the manner indicated:



Mary Angeles
Paralegal

Original and One Copy by Hand Delivery to:

Sybil Anderson
Headquarters Hearing Clerk
U.S. EPA / Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave., NW
Washington, DC 20460

Copy by Electronic and Regular Mail to:

Stephanie Ebright, Esq.
Assistant Regional Counsel
ORC, U.S. EPA, Reg. 10
1200 Sixth Avenue, #900
Mail Code OCE-133
Seattle, WA 98101-3140
Email: ebright.stephanie@epa.gov

Dennis D. Reynolds, Esq.
Dennis D. Reynolds Law Office
200 Winslow Way West, Suite 380
Bainbridge Island, WA 98110
Email: dennis@ddrlaw.com

**Dated: February 10, 2016
Washington, DC**