

RECEIVED
U.S. E.P.A.
APR -3 10 10 03
ENVIR. APPEALS BOARD

**BEFORE THE UNITED STATES ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

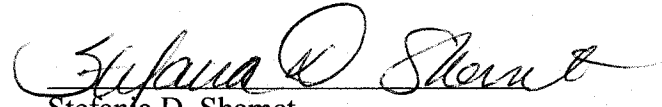
In re:)
)
Smith Farm Enterprises, L.L.C.,) CWA Appeal No. 08-02
)
Docket No. CWA-03-2001-0022)
)

**COMPLAINANTS' RESPONSE TO MOTION FOR ADDITIONAL EXTENSION
OF TIME TO FILE RESPONDENT'S APPEAL BRIEF**

Complainants hereby respond to the Motion for Additional Extension of Time to File Respondent's Appeal Brief ("Motion"). The Motion seeks an additional extension of nine days from April 8, 2009 up to and including April 17, 2009 for Respondent to file its Appeal Brief. Complainants do not oppose the Motion, and do not intend to use Respondent's motion as a basis for seeking any extension from the June 2, 2009 date for filing Complainants' responsive brief.

Date: 4/2/09

Respectfully submitted,


Stefania D. Shamet
Senior Assistant Regional Counsel

Counsel for Complainants

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused the foregoing Complainants' Response to Motion for Additional Extension of Time to File Respondent's Appeal Brief in the Matter of Smith Farm Enterprises, LLC, CWA Appeal No. 08-02 to be served in the following manner:

BY Facsimile and First Class Mail:

Hunter W. Sims
Kaufman & Canoles
150 West Main Street
Suite 2100
Norfolk, VA 23514

BY HAND DELIVERY:

Lydia Guy, Regional Hearing Clerk
EPA Region III (3RC00)
1650 Arch Street
Philadelphia, PA 19103

Original and Five Copies by Federal Express:

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board
Colorado Building
1341 G Street, N.W., Suite 600
Washington, D.C. 20005

4/2/09

Date


Stefania D. Shamet