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To: *Ms. Euska Durr, Clerk*

Fax #: *(202) 233-0121*

Date: *5/21/09*

of Pages (including cover sheet):

3

From: *Keith ONSPOFF*

(202) 233-0122

Phone #: *(856) 428-3553*

Subject:

*In re John Vidiksis
Motion to Stay
Final Decision
Supplemental Certification
of Appellant's Counsel*

SUPPLEMENTAL CERTIFICATION OF COUNSEL

KEITH A. ONSDORFF, Esquire, acting as the administrative appellate counsel for Appellant, John Vidiksis, hereby certifies, as follows:

1. On May 20, 2009, I spoke to Ms. Donzetta Thomas, counsel for Respondent, to ascertain whether the Agency would concur on the Appellant's Motion to Stay the E.A.B. Final Decision, pending the adjudication of Mr. Vidiksis' Petition for Review thereof in the U.S. Court of Appeals for the 11th Circuit, sitting in Atlanta, Georgia. Ms. Thomas informed me that the Agency would oppose the issuance of a Stay in this case.

DATE:

May 21, 2009



KEITH A. ONSDORFF, ESQ.

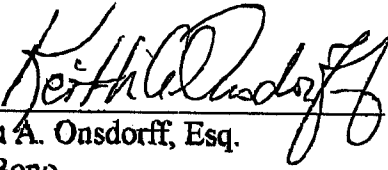
CERTIFICATE OF SERVICE

I hereby certify that on May 21, 2009, I mailed by first class mail the original and five copies of the within Supplemental Certification of Counsel to:

U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board (MC 1103B)
Ariel Rios Building
1200 Pennsylvania Avenue. N.W.
Washington, D.C. 20460-0001

and one copy to

Donzetta Thomas, Esq. (3RC30)
U.S.E.P.A.
Region III
1650 Arch Street
Philadelphia, PA 19103


Keith A. Onsdorff, Esq.
Pro Bono
Administrative Appeal Counsel
for Appellant