

BEFORE THE ENVIRONMENTAL APPEALS BOARD
United States Environmental Protection Agency
Washington, D.C.

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

MOTION FOR PARTIAL RECONSIDERATION AND TO STAY FINAL ORDER

NOW COMES Respondent, Smith Farm Enterprises, L.L.C. (“Respondent”), by counsel, pursuant to 40 C.F.R. § 22.32 and moves this Board to reconsider, in part, its Order of September 30, 2010 and to stay the effective date of the final order pending its ruling on the Motion for Partial Reconsideration and all related rulings pursuant to 40 C.F.R. § 22.32 for the reasons fully set forth in the Memorandum of Law in Support of Motion for Partial Reconsideration filed simultaneously herewith. Respondent does not waive and reserves all of its rights on the jurisdictional issues in this case.

October 13, 2010

SMITH FARM ENTERPRISES, L.L.C.

By /s/ Hunter W. Sims, Jr.
Of Counsel

Hunter W. Sims, Jr., Esquire
Marina Liacouras Philips, Esquire
Christy L. Murphy, Esquire
Kaufman & Canoles, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Phone: 757-624-3000
Fax: 757-624-3169

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of October 2010, the foregoing *Motion for Reconsideration* was furnished:

Via Electronic Filing:

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

Via Fax and Federal Express:

Stefania D. Shamet, Esquire
United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029
Fax: (215) 814-2603

Gary Jonesi, Esquire
Senior Counsel
U.S. EPA Office of Civil Enforcement/OECA
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Mail Code: 2241A
Washington, DC 20460
Fax: (202) 501-0494

LaJuana S. Wilcher, Esquire
English, Lucas, Priest & Owsley
1101 College Street
Post Office Box 770
Bowling Green, KY 42102
Fax: (270) 782-7782

Via Federal Express:

Ms. Lydia Guy, Regional Hearing Clerk
U.S. Environmental Protection Agency
Region III
1650 Arch Street (3RC00)
Philadelphia, PA 19103

/s/ Hunter W. Sims, Jr.
Hunter W. Sims, Jr.

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