

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:

Hutson Enterprises, Inc.
d/b/a Sparkle Pool Service &
Supply of Indiana,
Indianapolis, Indiana

Respondent.

(Docket No. EPCRA-05-2007-0027
(
(Proceeding to Assess a Civil Penalty
(Under Section 325(c) of the Emergency
(Planning and Community Right-to-
(Know Act of 1986.

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**MOTION FOR EXTENSION OF TIME
FOR THE FILING OF PREHEARING EXCHANGES**

Respondent, HUTSON ENTERPRISES, INC. d/b/a SPARKLE POOL SERVICE & SUPPLY OF INDIANA ("SPARKLE POOLS"), hereby requests an Extension of Time for the Filing of Pretrial Exchanges in the above styled action now scheduled for Thursday, February 14, 2008, to be extended until March 14, 2008, or another later date as determined appropriate by this Court. As good cause for this extension of time, SPARKLE POOLS hereby states as follows:

SPARKLE POOLS' counsel, Karen Lowell, represents numerous chemical companies recently required to comply with new Department of Homeland Security national requirements and deadlines, which has taken a tremendous amount of time and effort since December 2007. Simultaneously, Respondent, counsel and their experts have been preparing the initial Prehearing exchange, and intended to finalize the exchange with its attorney this past week (following the DHS deadlines). However, Ms. Lowell regrettably caught a severe flu and has been out of the office since last week and unable to work until today, and was therefore unable to timely complete the Prehearing exchange documents as

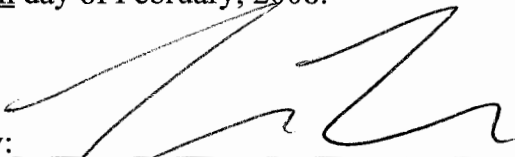
intended. Furthermore, Ms. Lowell leaves town on business this Wednesday, February 13, 2008, and will continue to travel on business to multiple states from February 13, 2008 until February 29, 2008. Details of each trip are available at this Court's request. Due to the untimely flu and subsequent travel schedule, counsel respectfully requests additional time to prepare Respondent's Prehearing Exchange.

SPARKLE POOLS' counsel contacted Robert Guenther, Assistant Regional Counsel for the U.S. EPA on Monday, February 11, 2008 regarding this Motion. Mr. Guenther stated that he has no objection to this extension of time until March 14, 2008.

For all the above reasons, Respondent SPARKLE POOLS respectfully requests that this Court grant an extension of the filing of Prehearing Exchanges scheduled for Thursday, February 14, 2008, until Friday, March 14, 2008, or a later date as determined appropriate by this Court.


Respectfully submitted this 11th day of February, 2008.

By: _____


KAREN LOWELL, ESQUIRE
Florida Bar No. 0967051
ATTORNEY FOR RESPONDENT
1683 S.W. 109th Terrace
Davie, Florida 33324
Telephone: (954) 424-6190
Facsimile: (954) 424-3541

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the a true and correct copy of this Motion for Extension of Time for the Filing of Prehearing Exchanges has been furnished via Federal Express Overnight Delivery to: Honorable William B. Moran, Administrative Law Judge, U.S. EPA Office of Administrative Law Judges, Franklin Court Building, 1099 14th Street N.W., Suite 350, Washington D.C. 20460 (and by facsimile: (202) 565-0044); an Original and one copy to: Sonja Brooks - Woodard, Regional Hearing Clerk, US EPA - Region 5, 77 West Jackson Blvd., 13th Floor, Chicago, IL 60604; and a true and correct copy to: Robert Guenther, Esquire, Assistant Regional Counsel, US EPA Region 5, 77 West Jackson Blvd, 13th Floor, Chicago, IL 60604, on this 11th day of February, 2008.

By: 
KAREN LOWELL, ESQUIRE