

EXIT OIL & GAS, INC.

2609 SAGEBRUSH DRIVE – SUITE 208
FLOWER MOUND, TX 75028

940 206-0300

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REGIONAL HEARING CLERK
EPA REGION VI

November 6, 2009

U. S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

Attn: Lorena Vaughn, Regional Hearing Clerk (6RC)

RE: Docket No. CWA-06-2009-4807
Foster Haney Lease
Montague County, Texas

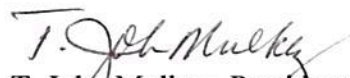
Dear Ms.

I am in receipt of your letter of October 15, 2009 regarding the above complaint.

I have recently met with Mr. Bryant Smalley and am preparing other documents for him that should help us settle the complaint without a formal hearing before a judge. These documents should be ready in the next 3 weeks and for that reason, I am requesting that you postpone setting a date for the hearing until you hear from Mr. Smalley.

Thank you for your consideration.

Sincerely,


T. John Mulkey, President
EXIT OIL & GAS, INC.

TJM/mm

CC: Mr. Bryant Smalley
Address as above