

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.11  
2008 SEP -5 PM 2: 19  
REGIONAL HEARING  
CLERK

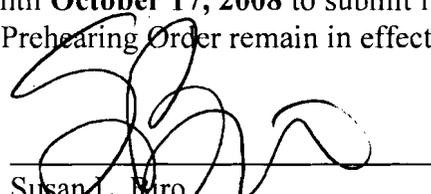
In the Matter of: )  
)  
Audubon Communities Management, LLC, ) Docket No. TSCA-02-2007-9168  
)  
Respondent. )

**ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME**

By Joint Motion dated September 3, 2008, the parties moved for a second extension of time to engage in the prehearing exchange.

The Motion is hereby, **GRANTED**, as set forth below:

Good cause exists for the granting of the Motion. The Motion indicates that the parties have reached a settlement in regard to this matter involving Respondent performing an abatement supplemental environmental project and lead clearance testing. The terms of such settlement have been memorialized in a Consent Agreement and Final Order and is awaiting the signature of Respondent's authorized representation which has been delayed due to vacation and travel.<sup>1</sup> In that a hearing in this case has yet to be scheduled, no prejudice will result from another brief delay in the prehearing exchange process. Therefore, the deadlines established in the previously issued Order are vacated and the following deadlines established: Complainant shall have until **September 19, 2008** to either file the fully executed Consent Agreement and Final Order or its initial prehearing exchange; Respondent shall have until **October 3, 2008** to submit its prehearing exchange; and Complainant shall have until **October 17, 2008** to submit its rebuttal prehearing exchange. All other requirements of the Prehearing Order remain in effect.

  
\_\_\_\_\_  
Susan L. Miro  
Chief Administrative Law Judge

Dated: September 4, 2008  
Washington, D.C.

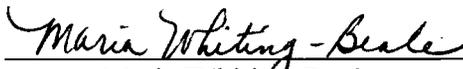
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<sup>1</sup> The Joint Motion included detailed information as to the pending settlement which is inappropriate to present to this Tribunal who, in the event the settlement does not come to fruition, must rule on the appropriate penalty to be imposed for the violations found, if any. Therefore, such information has been struck from the copy of the Motion by the Tribunal's staff.

In the Matter of Audubon Communities Management, LLC, Respondent  
Docket No. TSCA-02-2007-9168

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Joint Motion For Extension Of Time**, dated September 4, 2008, was sent this day in the following manner to the addressees listed below.

  
\_\_\_\_\_  
Maria Whiting-Beale  
Staff Assistant

Dated: September 4, 2008

Original And One Copy By Pouch Mail To:

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