

LAW OFFICE OF PAUL ZOGG

2012 JAN 10 PM 2:45

VIA HAND DELIVERY

Jan. 10, 2012

FILED
EPA REGION VIII
HEARING CLERK

Tina Artemis, Regional Hearing Clerk (8RC)
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202-1129

Re: In re Asher Associates L.L.C.
CWA-08-2011-0037

Dear Ms. Artemis:

Pursuant to 40 C.F.R. §22.5(a), enclosed please find an original and one copy of an Unopposed Motion for Extension of Time to File Answer for filing in the above-captioned action.

If you have any questions or concerns, or there is a filing fee or other filing requirements, don't hesitate to let me know immediately.

Thank you for your assistance.

Very truly yours,



Paul Zogg

cc: Asher
Brenda Morris, Esq.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2012 JAN 10 PM 2:45

DOCKET NO. CWA-08-2011-0037

FILED
EPA REGION VIII
RECORDING CLERK

IN THE MATTER OF)

Asher Associates, L.L.C.)
2350 E. Willamette Lane)
Greenwood Village, CO 80121)

**UNOPPOSED MOTION
FOR EXTENSION OF TIME
TO FILE ANSWER**

Pursuant to 40 C.F.R. §§22.7 and 22.16(a), respondent Asher Associates LLC, by and through undersigned counsel, hereby files this Unopposed Motion for Extension of Time to File Answer, stating as follows:

1. By this motion, Asher respectfully requests an additional two weeks, through and including Jan. 25, 2012, to file an Answer to the Administrative Complaint in this matter pursuant to 40 C.F.R. §22.15.
2. This is Asher's second motion for extension, but good cause exists for this brief extension in that the wife of Asher's managing member, Raiford Patton, is scheduled to deliver a child this day, and Mr. Patton is temporarily unavailable to work through responses to the allegations of the complaint with counsel.
3. The undersigned consulted with Brenda Morris, counsel for EPA in this matter, who reported she had no objection to the two-week extension.
4. The parties are also working to schedule continued settlement talks during the two-week hiatus if it is granted.

WHEREFORE, for all the foregoing reasons, Asher respectfully requests that the deadline for Asher to file its answer to the Administrative Complaint be extended two weeks, through and including Wednesday, Jan. 25, 2012.

Dated this 10th day of January, 2012:

Respectfully submitted

LAW OFFICE OF PAUL ZOGG



Paul Zogg
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CERTIFICATE OF SERVICE PURSUANT TO 40 C.F.R. §22.5(b)(2)

The undersigned hereby certifies pursuant to 40 C.F.R. §22.5(b)(2) that on this 10th day of January, 2012, a true and correct copy of the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWER**, by email addressed to Morris.Brenda@epamail.epa.gov and by first-class mail, postage prepaid address to:

Brenda L. Morris, Esq.
U.S. EPA, Region 8
1595 Wynkoop St. (ENF-L)
Denver, CO 80202-1129

