

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

2008 JUN -9 AM 11:08

BEFORE THE ADMINISTRATOR

In the Matter of)
)
CHERRY HILL APARTMENTS) DOCKET NO. TSCA-08-2007-0010
BUSINESS TRUST,)
)
Respondent)


EPA REGION III
HEARING CLERK

REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS
AND ASSIGNMENT OF A JUDGE FOR LITIGATION

The Report of April 24, 2008 provides that this alternative dispute resolution (ADR) process terminates June 7, 2008. The recommendation of this Report is that the ADR process be terminated, and that the case be assigned to a Judge for resolution through litigation.

The reason for this recommendation is that the parties, after four months of the ADR process, have not reached an agreement to settle this matter. The parties, however, did successfully use the ADR process to negotiate the framework for a possible settlement. They are encouraged to continue their negotiations to try to conclude a final settlement agreement.

Finally, the undersigned expresses her appreciation to the parties for the courtesy and candor with which they participated in the ADR process. Accordingly, the case should now be assigned to a Judge to preside over a litigated resolution of this case.



Barbara A. Gunning
Administrative Law Judge
Dated: June 4, 2008

Approved: 

Susan L. Biro
Chief Administrative Law Judge

Dated: 6/4/08

**In the ADR Matter of *Cherry Hill Apartments Business Trust*, Respondent.
Docket No. TSCA-08-2007-0010**

CERTIFICATE OF SERVICE

I certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation**, dated June 4, 2008, was sent this day in the following manner to the addressees listed below.



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**Dated: June 4, 2008
Washington, D.C.**