



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR


RECEIVED  
JAN 27 2009

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

IN THE MATTER OF )  
 )  
NATIONAL LIME AND STONE COMPANY, ) DOCKET NO. CAA-05-2009-0002  
 )  
 )  
 )  
RESPONDENT )

ORDER GRANTING JOINT MOTION TO STAY PROCEEDING

As you previously have been notified, I have been designated by the January 23, 2009 Order of the Chief Administrative Law Judge to preside in the above captioned matter.<sup>1/</sup> On December 29, 2008, the parties filed a Joint Motion to Stay Proceeding until February 1, 2009. In support of this motion, the parties state that they are actively involved in settlement discussions. For good cause shown, the motion is **GRANTED**. The proceeding will be stayed until February 1, 2009, at which time the parties will report the status of their settlement discussions.

  
\_\_\_\_\_  
Barbara A. Gunning  
Administrative Law Judge

Dated: January 26, 2009  
Washington, DC

---

<sup>1/</sup> In response to an inquiry from this office, Complainant and Respondent declined to participate in the Alternate Dispute Resolution ("ADR") process offered by this office failing to respond to the ADR inquiry letter.

In the Matter of *National Lime and Stone Company*, Respondent.  
Docket No. CAA-05-2009-0002

RECEIVED  
JAN 27 2009

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Joint Motion to Stay Proceeding**, dated January 26, 2009, was sent this day in the following manner to the addressees listed below.



---

Mary Angeles  
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

Tywanna Greene  
Acting Regional Hearing Clerk  
U.S. EPA, Region V, MC-13J  
77 West Jackson Blvd., 13<sup>th</sup> Floor  
Chicago, IL 60604-3590

Copy by Pouch Mail to:

Jose De Leon, Esq.  
Associate Regional Counsel  
U.S. EPA, Region V, C-14J  
77 West Jackson Blvd.  
Chicago, IL 60604-3590

Copy by Regular Mail to:

Brian Barger, Esq.  
Margaret Beck, Esq.  
Brady, Coyle & Schmidt, LTD  
4052 Holland-Sylvania Road  
Toledo, OH 43623

**Dated: January 26, 2009**  
**Washington, D.C.**