

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
KANSAS CITY, KANSAS

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ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

In the Matter of:)
)
Learjet Inc.)
) RCRA-07-2005-0402
RCRA ID KSD007234313,)
)
Respondent)

**LEARJET'S SECOND UNOPPOSED MOTION TO EXTEND
TIME TO ANSWER OR OTHERWISE RESPOND**

Respondent Learjet Inc. (Learjet) pursuant to 40 CFR §22.7(b) moves the Presiding Officer to extend the deadline for filing Learjet's answer or other response to the United States Environmental Protection Agency's (EPA) Complaint, Compliance Order, and Notice of Opportunity for Hearing by an additional 30 days, to and including January 6, 2006. The purpose for this extension is to allow the parties to engage in meaningful settlement discussions without the distractions of ongoing administrative litigation activities.

In support of this motion Learjet states the following:

1. On September 30, 2005, EPA filed its Complaint, Compliance Order and Notice of Opportunity for Hearing and served Learjet by certified mail on October 6, 2005.
2. Pursuant to 40 CFR §22.15 Learjet's answer was due November 7, 2005.
3. On October 28, 2005, Learjet filed its Unopposed Motion to Extend Time to Answer or Otherwise Respond, requesting an additional 30 days in which to file its answer or other response. The motion was granted on November 1, 2005. In accordance with this order, the new deadline is December 7, 2005.

4. Pursuant to 40 CFR § 22.7(b) Learjet requests an additional 30 days in which to file its answer or other response.

5. On November 17, 2005, Learjet and EPA held their first meeting. This meeting initiated discussions that the parties hope will advance settlement. At this meeting, James Price, counsel for Learjet and Jonathan Meyer, EPA's assistant regional counsel representing EPA in this matter, agreed that additional meetings or telephone conferences would be necessary to continue the settlement process. As the holiday season approaches, it is unlikely discussions will be concluded by the December 7, 2005 filing deadline. An extension of Learjet's deadline to file its answer or other response will provide the necessary time to schedule and hold additional meetings.

6. Mr. Meyer does not oppose this motion.

7. Granting this extension will not prejudice any of the parties and will not affect any other proceedings in this matter.

WHEREFORE, Respondent Learjet requests the Presiding Officer extend the deadline for filing Learjet's response to EPA's Compliant, Compliance Order and Notice of Opportunity for Hearing by 30 days, to and including January 6, 2006. A form of order accompanies this motion.

Respectfully submitted,

SPENCER FANE BRITT & BROWNE LLP


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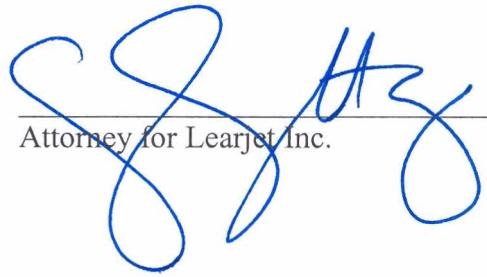
ATTORNEYS FOR LEARJET INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of November, 2005, the original and one copy of the foregoing Learjet's Second Unopposed Motion to Extend Time and form of Order were served by mailing via U.S. Mail, First Class, postage prepaid to:

Regional Hearing Clerk
United States Environmental Protection Agency
Region VII | |
901 N. 5th Street
Kansas City, KS 66101

| |
Jonathan W. Meyer, Esq.
Office of Regional Counsel
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Attorney for Learjet Inc.