

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION V
CHICAGO, ILLINOIS

RECEIVED
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U.S. EPA REGION 5
2011 MAY -6 PM 2:40

IN THE MATTER OF:

C&D TECHNOLOGIES, INC.
Attica, Indiana

RESPONDENT.

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DOCKET NUMBER
CAA-05-2011-0035

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE RESPONSIVE PLEADING**

Respondent C&D Technologies, Inc. ("C&D"), by counsel, respectfully moves for an extension of time in which to file a responsive pleading in this matter. In support of this motion, C&D states the following:

1. On March 31, 2011, EPA Region 5 filed an "Administrative Complaint" (hereafter "Complaint") with the Regional Hearing Clerk bearing Docket No. CAA-05-2011-0035. The Complaint was served on Respondent by certified mail.
2. Pursuant to 40 C.F.R. §§ 22.15(a) and 22.7(c), Respondent's Answer to the Complaint is currently due no earlier than May 5, 2011. The parties have been engaged in settlement discussions that, when completed, could avert the need for further litigation between the parties. At present, there appears to be a reasonable likelihood that a settlement agreement will be reached given additional time.
3. Counsel for Complainant, Robert S. Guenther, has agreed to the requested extension of time to and including July 1, 2011.

Respectfully submitted,

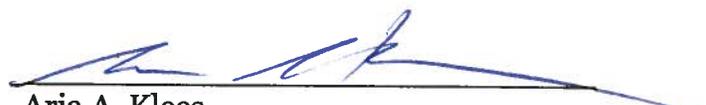

Aria A. Klees
Acting General Counsel
C&D Technologies, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this "Unopposed Motion for Extension of Time to File Responsive Pleading" has been served this 5th day of May, 2011, by facsimile and by depositing a copy of the same in the United States mail, first class postage prepaid and properly addressed to the following counsel of record:

Robert S. Guenther, Assoc. Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency
Region V
77 West Jackson Blvd.
Chicago, Illinois 60604

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Aria A. Klees

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**ORDER GRANTING UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

This matter comes before the Regional Judicial Officer on Respondent's Unopposed Motion for Extension of Time to File Responsive Pleading ("Motion").

The Regional Judicial Officer, being duly advised and for good cause shown, **GRANTS** said Motion and **ORDERS** that Respondent, C&D Technologies, Inc., shall have to and including July 1, 2011, to file its Answer in this matter.

All of which is **ORDERED** this _____ day of May, 2011.

Regional Judicial Officer, Region V

copies to: Aria A. Klees, Esq.
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1400 Union Meeting Road
Blue Bell, Pennsylvania 19422-0838
Telephone: (215) 619-7807

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