

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

FILED
2011 JAN 18 PM 10:49
REGIONAL HEARING CLERK
EPA REGION VI

In the Matter of:)
)
Exit Oil & Gas, Inc.,) CWA-06-2009-4807
)
Respondent.)

ORDER TO FILE STATUS REPORT

Complainant filed the Administrative Complaint and Opportunity to Request a Hearing ("Complaint") in this matter on September 8, 2009. A United States Mail return receipt, commonly referred to as a "green card," filed with the Regional Hearing Clerk indicates that the Complaint was served on the Respondent, Exit Oil & Gas, Inc., on October 16, 2009, making the original due date for Respondent's answer November 16, 2009. On November 9, 2009, Respondent filed a letter with the Regional Hearing Clerk which included a request that the setting of a hearing date be postponed. On March 22, 2010, the Presiding Officer ordered the parties to report on the status of the case and set a deadline for Respondent to file an answer as described in 40 C.F.R. § 22.15. The parties did report on the status of the matter, and, on April 15, 2009, the Presiding Officer issued an order extending the due date for Respondent's answer to July 30, 2010. As of the date of this Order, there have been no additional filings in this matter.

THEREFORE, IT IS ORDERED:

On or before **February 15, 2011**, the parties shall file a report on the status of settlement negotiations in this matter (without disclosing the substance of settlement negotiations), including, at a minimum, a summary of contacts between the parties regarding this case, an assessment of whether settlement of this matter is likely, a statement concerning whether a settlement-in-principle has been reached, and, if applicable, a projected date for the filing of a consent agreement and final order. If the parties do not believe settlement is likely, each shall state its views on how to proceed to resolution of this case. If the parties cannot agree on a joint status report, they shall file separate reports.

It is so ordered, this 18th day of January 2011.



MICHAEL C. BARRA
REGIONAL JUDICIAL OFFICER

CERTIFICATE OF SERVICE

I, Lorena S. Vaughn, the Regional Hearing Clerk for the Region 6 office of the Environmental Protection Agency, hereby certify that a TRUE AND CORRECT copy of the Order to File Status Report in Docket No. Class I - CWA 06-2009-4807, was served upon the parties on the date and in the manner set forth below:


Marlys Mulkey
Exit Oil & Gas, Inc.
2609 Sagebrush
Suite 208
Flower Mound, Texas 75028

U.S. FIRST CLASS MAIL -
RETURN RECEIPT REQUESTED

Edwin Quinones
Environmental Protection Agency
1445 Ross Avenue
Dallas, Texas 75202

INTEROFFICE MAIL

DATE: 1-18-11



Lorena S. Vaughn
Regional Hearing Clerk