

THE OKONITE COMPANY
102 HILLTOP ROAD
RAMSEY, NEW JERSEY 07446

FRANCIS T. GIULIANO
VICE PRESIDENT
AND
GENERAL COUNSEL

Telephone: (201) 825-0300
Telefax: (201) 236-0129
E-mail: giuliano@okonite.com

October 12, 2010

By FedEx and By Regular Mail

The Honorable Barbara A. Gunning
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2010 OCT 13 A 11: 52
REGIONAL HEARING
CLERK

Re: *U.S. Environmental Protection Agency v. The Okonite Company, Inc.*
Docket No. TSCA-02-2010-9104

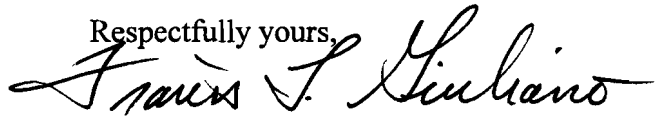
Dear Judge Gunning:

On behalf of respondent The Okonite Company, Inc., we enclose two copies of Complainant's and Respondent's Joint Motion for an Extension of Time for Submission of the parties' Briefs.

By copy of this letter to the Regional Hearing Clerk, we are asking Ms. Maples to have a member of her staff return an extra copy to us stamped "filed" in the envelope provided to her office.

We appreciate Your Honor's courtesies.

Respectfully yours,



Enclosures
G102984/F126A

cc: Karen Maples, Regional Hearing Clerk (by FedEx) (original plus one copy)
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor, New York, NY 10007-1866

Karen L. Taylor, Esq., Office of Regional Counsel (by FedEx) (two copies)
U.S. Environmental Protection Agency, Region 2
290 Broadway, New York, NY 10007-1866

**U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 2**

-----X
In the Matter of: :
The Okonite Company, Inc., :
Respondent. :
Proceeding under Section 16(a) of :
the Toxic Substances Control Act. :
-----X

Docket No. TSCA-02-2010-9104
Hon. Barbara A. Gunning
Presiding Officer

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2010 OCT 13 A 11:52
REGIONAL HEARING
CLERK

**JOINT MOTION OF COMPLAINANT AND RESPONDENT FOR AN EXTENSION OF
TIME FROM THURSDAY, OCTOBER 14, 2010 TO MONDAY, OCTOBER 18, 2010
FOR SUBMISSION OF BRIEFS**

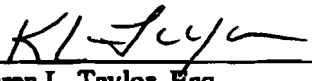
1. By Order issued to the Complainant and Respondent Scheduling Oral Argument, the Court mandated the simultaneous filing by the parties of briefs addressed to the dispositive legal issue in the case. The filing date set forth in the Order is October 14, 2010.
2. Both parties represent to the Court that they have been working to complete and file their respective briefs timely, but that the voluminous nature of the relevant materials to be addressed in the briefs may be presented with the best efficiency if a short extension of the filing date were permitted.
3. Accordingly, the parties respectfully request an extension of the due date for their respective briefs to Monday, October 18, 2010.
4. Neither party requests a change of the oral argument date from the scheduled October 28, 2010. However, if the Court is itself disposed to change the oral argument date as a result of this

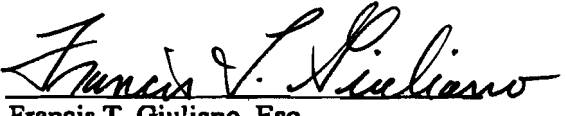
request, both parties acknowledge their obligations to comply with any new date which may be selected by the Court, in the Court's sole discretion.

Respectfully submitted,

ENVIRONMENTAL PROTECTION AGENCY

THE OKONITE COMPANY, INC.

By: 
Karen L. Taylor, Esq.
Office of Regional Counsel, Region 2
290 Broadway
New York, NY 10007-1866

By: 
Francis T. Giuliano, Esq.
Vice President and General Counsel.
102 Hilltop Road, P.O. Box 340
Ramsey, NJ 07446

Dated: October 12, 2010.

CERTIFICATE OF SERVICE

I, Francis T. Giuliano, do hereby certify that on October 12, 2010, I did submit, by FedEx Priority Overnight a copy of Complaint's and Respondent's Joint Motion for an Extension of Time for Submission of the parties' Briefs to:

The Honorable Barbara A. Gunning
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

Karen L. Taylor, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, New York NY 10007-1866


Francis T. Giuliano

U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 2

-----X
In the Matter of: :
The Okonite Company, Inc., : Docket No. TSCA-02-2010-9104
Respondent. : Hon. Barbara A. Gunning
 : Presiding Officer
 :
Proceeding under Section 16(a) of :
the Toxic Substances Control Act. :
-----X

ORDER GRANTING
JOINT MOTION OF COMPLAINANT AND RESPONDENT FOR AN EXTENSION OF
TIME FROM THURSDAY, OCTOBER 14, 2010 TO MONDAY, OCTOBER 18, 2010
FOR SUBMISSION OF BRIEFS

Upon consideration of the Complainant's and Respondent's Joint Motion for an Extension of Time for Submission of the parties' Briefs, it is this _____ day of _____, 2010 hereby

ORDERED that the Joint Motion be and hereby is GRANTED, and that the time for submission of the parties' Briefs is extended to October 18, 2010.

For the Administrator

copies to:

Karen Maples, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, New York 10007-1866

Karen L. Taylor, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, New York NY 10007-1866