

Haniewicz, Melissa

From: Elizabeth Miller [REDACTED]
Sent: Tuesday, August 7, 2018 12:02 PM
To: Haniewicz, Melissa; Swanson, Amy
Cc: Jeremy Patterson; Katie Frayler; Sara Marsella
Subject: In the Matter of: Ute Indian Tribe, et al., SDWA-08-2018-0013
Attachments: ATT00001.txt; 18 08 07 Third Motion for Extension to File Answer.pdf; Third Proposed Order.pdf; Third Proposed Order.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Please see attached Third Unopposed Motion for an Extension of Time to File Answer and its proposed order (both in pdf and Word formats) for filing in the above referenced action. I am also sending the original and two copies via U.S. Mail, certified, return receipt requested, today.

Should you have problems with any of these documents, please do not hesitate to contact me.

Thank you for your attention to this matter.



Elizabeth Miller
Legal Assistant/Paralegal
Fredericks Peebles & Morgan LLP

- Phone: (303)673-9600
- [REDACTED]
- Address: 1900 Plaza Drive, Louisville, CO 80027
- Website: www.ndnlaw.com
- [REDACTED]

CONFIDENTIALITY NOTICE - This e-mail transmission, and any documents, files or previous e-mail messages attached to it, may contain information that is confidential or legally privileged. If you are not the intended recipient or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is **Strictly Prohibited**. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading or saving in any manner. Thank you.

FEDERAL TAX ADVICE DISCLAIMER - We are required by U. S. Treasury Regulations to inform you that, to the extent this message includes any federal tax advice, this message is not intended or written by the sender to be used, and cannot be used, for the purpose of avoiding federal tax penalties.

Jeremy J. Patterson
FREDERICKS PEEBLES & MORGAN LLP
1900 Plaza Drive
Louisville, CO 80027
Telephone: (303) 673-9600
Facsimile: (303) 673-9155
Email: jpatterson@ndnlaw.com

Attorney for the Ute Indian Tribe

**UNITED STATE ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

IN THE MATTER OF:

Ute Indian Tribe and Ute Tribe Public
Works, Uriah Heeps Spring and
Whiterocks Public Water Systems, PWS
ID# 084990002 and 084990003,

Respondents.

Docket No. SDWA-08-2018-0013

**THIRD MOTION FOR AN
EXTENSION OF TIME TO FILE
ANSWER**

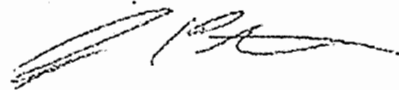
Respondents, Ute Indian Tribe and Ute Tribe Public Works ("Tribe"), pursuant to 40 C.F.R. § 22.7(b), respectfully request a third extension of time to file an answer or other response to the United States Environmental Protection Agency's ("EPA") Complaint. The undersigned has conferred with opposing counsel, and the EPA does not oppose a third extension. The Tribe's Answer is due Friday, August 10, 2018. The parties are in the process of negotiating terms for a settlement therefore the Tribe respectfully requests a sixty (60) day extension of time through Tuesday October 9, 2018, in which to file its answer or other response.

The extension will not prejudice the United States. The Tribe and the EPA are in the process of negotiating a settlement of this matter. Multiple conference calls have already taken place, and an in-person meeting is scheduled for August 17, 2018. It is in the interest of time and judicial resources to avoid moving forward on two fronts while both parties are optimistic a settlement will be reached.

Respondents respectfully request that this Court grant this unopposed motion to extend the deadline for submitting the Answer or otherwise responding to the Complaint in this case from August 10 to October 9, 2018. A proposed order is filed with this motion.

Respectfully submitted this 7th day of August, 2018.

FREDERICKS PEEBLES & MORGAN LLP



Jeremy J. Patterson
1900 Plaza Drive
Louisville, CO 80027
Telephone: (303) 673-9600
Facsimile: (303) 673-9155
Email: jpatterson@ndnlaw.com

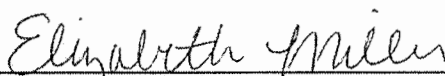
Attorney for the Ute Indian Tribe

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of August, 2018, I caused a true and correct copy of the foregoing **UTE INDIAN TRIBE'S UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO FILE ANSWER** with the Clerk of the Court via U.S. Mail, certified, return receipt requested and electronically via e-mail to all parties of record as follows:

Melissa Haniewicz
Regional Hearing Clerk (8RC)
U.S. EPA Region 8
1595 Wynkoop Street
Denver, CO 80202

Amy Swanson
Enforcement Attorney (8ENF-L)
U.S. EPA Region 8
1595 Wynkoop Street
Denver, CO 80202



Legal Assistant



FREDERICKS PEEBLES & MORGAN LLP
ATTORNEYS AT LAW

1900 PLAZA DRIVE
LOUISVILLE CO 80027

neopost[®] FIRST-CLASS MAIL
08/07/2018
US POSTAGE \$000.47⁰

ZIP 80027
041L11253215

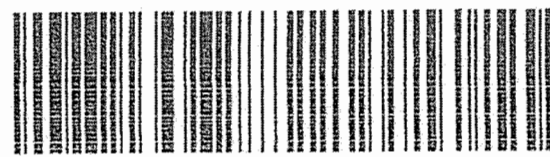
Elizabeth Miller
Fredericks Peebles & Morgan LLP
1900 Plaza Drive
Louisville, CO 80027



FREDERICKS PEEBLES & MORGAN LLP
ATTORNEYS AT LAW

1900 PLAZA DRIVE
LOUISVILLE CO 80027

CERTIFIED MAIL



9171 9690 0935 0132 3414 74

neopost[®] FIRST-CLASS MAIL
08/07/2018
US POSTAGE \$005.84⁰

ZIP 80027
041L11253215

Melissa Haniewicz
Regional Hearing Clerk (SRC)
U.S. EPA Region 8
1595 Wynkoop Street
Denver, CO 80202