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U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.11  
2011 APR 21 A 11:25  
REGIONAL HEARING  
CLERK

April 14, 2011

Karen Maples, Regional Hearing Clerk  
U.S. EPA  
290 Broadway – 16<sup>th</sup> Floor  
New York, NY 10007-1866

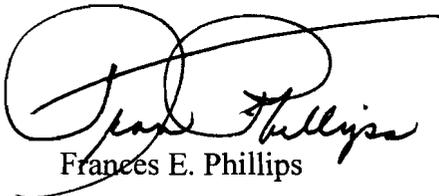
VIA FIRST CLASS MAIL

Re: In the Matter of: D. R. Horton, LLC; Docket No. CWA-02-2011-3402

Dear Ms. Maples:

This Firm represents Respondent in the proceedings referenced above. I am enclosing for filing an original and one (1) copy of a Joint Agreed Motion to Extend Time to Answer or Otherwise Respond.

Very truly yours,

  
Frances E. Phillips

FEP/ast/d-2193317.v2  
c/m#: 124134-71

Enclosures

cc: Chris Saporita (w/enclosure)  
Office of Regional Counsel

VIA E-MAIL

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2011 APR 21 A 11: 24  
REGIONAL HEARING  
CLERK

In the Matter of

D. R. Horton, LLC,  
Respondent.

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§

Docket No. CWA-02-2011-3402

**JOINT AGREED MOTION TO EXTEND TIME TO ANSWER  
OR OTHERWISE RESPOND**

Respondent D. R. Horton, LLC, by and through counsel, and United States EPA jointly move for an extension of time within which Respondent is required to file its answer or otherwise respond as follows:

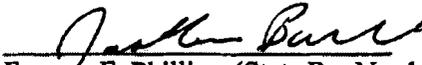
1. On or about December 14, 2010, the United States Environmental Protection Agency (“EPA”) filed the above-referenced Administrative Complaint.
2. On January 19, 2011, the Regional Judicial Officer issued an order extending the date for Respondent to file its answer to March 21, 2011.
3. On March 22, 2011, the Regional Judicial officer issued an order, with an effective date of March 21, 2011, extending the date for Respondent to file its answer to April 20, 2011.
4. Respondent and EPA have reached an agreement in principle on a proposed settlement that will include a Supplemental Environmental Project and are starting to draft a consent agreement and final order, which the parties anticipate will be executed no later than May 20, 2011. To allow the settlement negotiations and drafting to continue, Respondent and EPA request that the Respondent’s deadline to answer be extended by an additional 30 days.

WHEREFORE, PREMISES CONSIDERED, Respondent and EPA jointly request an order granting Respondent until May 20, 2011 to file its answer or otherwise respond.

DATED: April 14, 2011

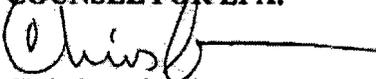
Respectfully submitted,

**COUNSEL FOR RESPONDENT:**

  
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**COUNSEL FOR EPA:**

  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 14, 2011, an original and a copy of this motion were filed with the Regional Hearing Clerk for EPA Region 2 and that true and correct copies were served on the following persons as indicated:

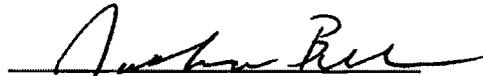
Helen. S. Ferrara  
Regional Judicial Officer  
U.S. EPA, Region 2  
290 Broadway  
New York, NY 10007-1866

VIA E-MAIL

Chris Saporita, Esq.  
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