



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF

Trust No. 98-123, GENGHISKHAN XIONG, HU XIONG, CHUHU XIONG, and MAIVTSHIAB XIONG,^{1/}

RESPONDENTS

DOCKET NO. TSCA-05-2008-0010

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ORDER RETURNING CASE TO CHIEF ADMINISTRATIVE LAW JUDGE

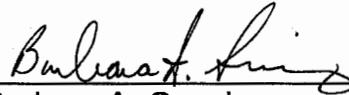
As you previously have been notified, I have been designated by the June 30, 2008 Order of the Chief Administrative Law Judge to preside in the above captioned matter. On July 23, 2008, the Parties filed a Joint Motion of Parties to Enter into Alternative Dispute Resolution ("ADR"). The ADR notification letter from this office was sent to both parties on June 10, 2008 and provided for notification of voluntary acceptance by June 24, 2008. Respondents agreed to participate in ADR by that date. However, Complainant did not respond and was deemed to have declined its participation in ADR. The Parties' Joint Motion to Enter into ADR states that "both Parties believe that ADR may prove productive in resolving this dispute, and participation in ADR is not likely to delay or adversely affect proceedings in this matter."^{2/}

The Parties' Joint Motion to Enter into Alternative Dispute Resolution is

^{1/} The Answer filed by Attorney Dennis J. Kellogg, on behalf of Genghiskan Xiong, Hu Xiong, Chuhu Xiong, and Maivtshiab Xiong, admits that Genghiskan Xiong, Hu Xiong, and Maivtshiab Xiong are the Respondents in this matter and that Trust No. 98-123 is administered by Bridgeview Bancorp, Inc. a/k/a Bridgeview Bank Uptown. Answer at ¶ 3. The Answer states that Chuhu Xiong is the same person as Hu Xiong. Thus, the record before me contains no Answer on behalf of Trust No. 98-123. The term "Respondents" henceforth only refers to Genghiskan Xiong, Chuhu Xiong, Hu Xiong, and Maivtshiab Xiong.

^{2/} Joint Motion at ¶ 4

GRANTED and the matter is returned to the Chief Administrative Law Judge for designation of a neutral in the ADR process. If the matter is not fully resolved by the execution and filing of a Consent Agreement and Final Order, the case should be returned to me for continuation of the litigation process.



Barbara A. Gunning
Administrative Law Judge

Dated: July 28, 2008
Washington, DC

In the Matter of Trust No. 98-123, Genghiskhan Xiong, Hu Xiong, Chuhu Xiong and Maivtshiab Xiong, Respondents.
Docket No. TSCA-05-2008-0010

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Returning Case to Chief Administrative Law Judge**, dated July 28, 2008, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

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Dated: July 28, 2008

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