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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of)
)
Lesaffre Yeast Corporation,) Docket No. CAA-05-2007-0002
)
Respondent)

PREHEARING SCHEDULING ORDER

In accordance with 40 C.F.R. 22.19, the parties shall comply with the prehearing filing schedule set forth below.

I. Prehearing Exchanges

1. Opening prehearing exchanges are due March 7, 2007. The opening prehearing exchange is to include:

- a. A list of fact witnesses intended to be called at the hearing, along with a narrative summary of their expected testimony;
- b. A list of expert witnesses intended to be called at the hearing, a Curriculum Vitae for each expert, and a narrative summary of their expected testimony;
- c. A copy of each exhibit intended to be introduced into evidence at hearing, appropriately identified as either Complainant's or Respondent's exhibit (e.g., CX-1, RX-1).
- d. An estimate of time needed to present the filing party's case-in-chief; and,
- e. A view as to the location of the hearing.

Opening prehearing exchanges are mandatory. Failure of the complainant to submit a timely opening prehearing exchange may result in the dismissal of the complaint for lack of prosecution; failure of the respondent to timely submit an opening prehearing exchange may result in the issuance of a default order. 40 C.F.R. 22.17.

2. Replies to opening prehearing exchanges are due March 27, 2007. Replies to opening prehearing exchanges are optional.

3. The filing of additional prehearing exchanges identifying new witnesses, new exhibits, or different areas of testimony for witnesses already identified **shall be by motion only**.

II. Filing Procedure

The original and one copy of all pleadings required or permitted to be filed in this proceeding shall be sent to the Regional Hearing Clerk and copies shall be sent to the opposing party and to the Presiding Judge. 40 C.F.R. 22.5. **(Filing by facsimile does not constitute compliance with this order.)**

A. Filing By United States Mail


The undersigned's mailing address is as follows:

U.S Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900L / Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
(202) 564-6281 or 564-6255

B. Filing By Commercial Delivery

The undersigned's address for commercial delivery (*e.g.*, Federal Express) is as follows:

U.S. Environmental Protection Agency
Office of Administrative Law Judges
1099 14th Street, N.W.
Franklin Court, Suite 350
Washington, D.C. 20005
(202) 564-6281 or 564-6255



Carl C. Charneski
Administrative Law Judge

Issued: February 9, 2007
Washington, D.C.

In the Matter of *Lesaffre Yeast Corporation*, Respondent.
Docket No. CAA-05-2007-0002

Certificate of Service

I certify that the foregoing **Prehearing Scheduling Order**, dated February 5, 2007, was sent this day in the following manner to the addressees below.



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Dated: February 9, 2007
Washington, D.C.

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Docket No. CAA-05-207-0002

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