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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

2011 OCT 28 PM 3:13

BEFORE THE ADMINISTRATOR

HEARING CLERK

IN THE MATTER OF:

Jeffrey H. Duvall, Duvall Development Co.,
Inc., Louis Steve Duvall, Sr., and Duvall &
Son Livestock, Inc.,

Respondents.

)
)
) Proceeding to Assess Class II Civil
) Penalty Under Section 309 of the
) Clean Water Act
)
) Docket No. CWA-04-2010-5505
)
)
)
)

Joint Status Report

Pursuant to the Court's instruction to Counsel for Complainant and for Respondents Jeffrey Duvall and Duvall Development Company during a September 28, 2011, conference call, the parties hereby file this Joint Status Report in the above-styled case. Counsel for Respondents has authorized Counsel for Complainant to submit this Joint Status Report. The parties anticipate that they will complete their negotiations on two consent agreements in this case by November 10, 2011. EPA further anticipates that both agreements will be finalized and approved by approximately November 18, 2011.

Additionally, the parties are continuing to work closely with several other entities who are involved with carrying out one portion of the parties' settlement and it is anticipated that the real estate closings required by the agreement can be completed before the end of the year, or by no later than early to mid-January 2012. The parties will update the Court when the agreements are finalized or by November 28, 2011, whichever is earlier.

As discussed during the September 28, 2011, conference call, Mr. Schwartz and

Mr. Stockton have agreed that Mr. Schwartz will be representing all the Respondents as the parties move towards final settlement of this matter. Counsel will also be conferring in the next couple of weeks to resolve the questions surrounding possible dismissal of Respondent Louis Steve Duvall from this action.

Respectfully submitted,

Dated: October 28, 2011


Robert Caplan
Counsel for Complainant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of the foregoing Joint Status Report in the Matter of: Duvall Development Co., Inc., Jeffrey H. Duvall, Duvall & Son Livestock, Inc., and Louis Steve Duvall, Sr., **Docket No. CWA-04-2010-5505**, was filed on October 28, 2011, with the Region 4 Regional Hearing Clerk, and that on October 28, 2011, I have served true and correct copies of the same on Judge Barbara Gunning and the attorneys for the parties listed below in the manner indicated:

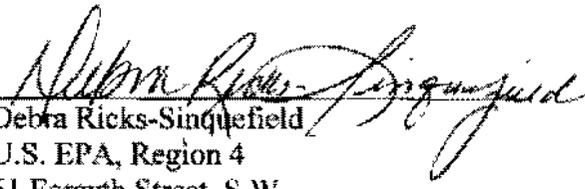
Judge Barbara A. Gunning (Via pouch mail)
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Dated: October 28, 2011


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