

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2009 JAN 13 PM 12:46  
REGIONAL HEARING  
CLERK

IN THE MATTER OF:

Palmas Lakes, Inc.  
PO Box 191334  
San Juan, Puerto Rico 00919

and

F&R Contractors Corp.  
PO Box 9932  
San Juan, Puerto Rico 00908

**Harbour Lakes Residencial  
Development**

**RESPONDENTS**

**DOCKET NUMBER CWA-02-2007-3410**

PROCEEDING PURSUANT TO SECTION  
309(G) OF THE CLEAN WATER ACT, 33 U.S.C.  
§ 1319(), TO ASSESS CLASS II CIVIL  
PENALTY

JOINT MOTION REQUESTING BRIEF EXTENSION OF TIME TO FILE  
STIPULATED FACTS, EXHIBITS AND TESTIMONY

To the Honorable Court:

Come now jointly the parties to the instant action and very respectfully aver  
and pray as follows:

1. The parties to the instant action, through the undersigned attorneys have met to produce a list of stipulated facts, exhibits and testimonies.
2. During these conversations it has become apparent that many of the facts that are being disputed by the attorneys for the parties, would be best discussed and agreed upon by the technical personnel.
3. To this end a meeting between technical personnel has been scheduled for tomorrow afternoon at the San Juan, EPA offices.

4. This meeting among the technical personnel could not take place before due to the many legal holidays in Puerto Rico during the months of November and December.

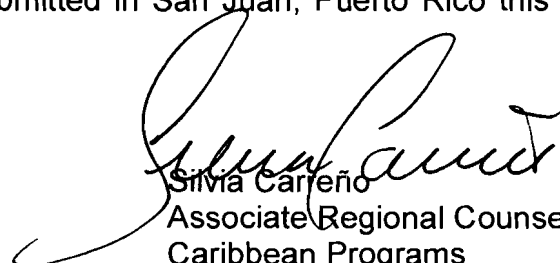
5. The parties respectfully request a short extension of time of ten days in which to file a complete set of stipulated facts, documents and testimony. This term would expire on Friday, January 23, 2009.

6. The parties also anticipate that their negotiation conversations may be restarted as a result of agreements and stipulations reached by the technical personnel.

7. The parties are also concerned with the upcoming hearing date of February 3, 2009, since they have not heard of the location for the hearing and other logistics involved. All parties had suggested in their pre-hearing exchanges San Juan, instead of the municipality of Humacao as the most appropriate location for the hearing.

WHEREFORE, the parties respectfully request a short extension of time to file a set of stipulated facts, exhibits and testimonies and clarification in terms of the location for the hearing.

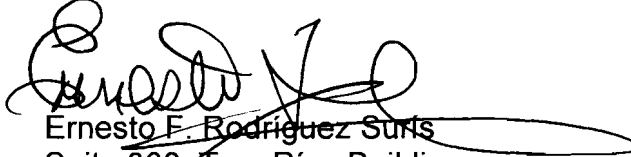
Respectfully Submitted in San Juan, Puerto Rico this 12<sup>th</sup> day of January 2009.



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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Joint Motion was sent in the following manner to the addresses listed below:

Copy by Overnight and  
Facsimile:

Barbara A. Gunning  
Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1099 14<sup>th</sup> Street, N.W. Suite 350  
Franklin Court  
Washington, D.C. 20005  
Ph: 202.564.6255

Original and  
Copy by Overnight:

Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency,  
Region II  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866