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OCT 24 2008

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

In the Matter of:	)	Docket No. CAA-05-2008-0029
	)	
Wolf Paving Co., Inc.	)	Proceeding to Assess a Civil Penalty
Oconomowoc, Wisconsin	)	Under Section 113(d) of the Clean Air
	)	Act, 42 U.S.C. § 7413(d)
Respondent.	)	
_____	)	

**JOINT MOTION FOR EXTENSION OF TIME**

Complainant, Director of the Air and Radiation Division, U.S.

Environmental Protection Agency, Region 5, Chicago, Illinois (the "EPA") and Respondent, Wolf Paving Co., Inc., Oconomowoc, Wisconsin ("Wolf") hereby move the Court for an Order extending the time for filing prehearing exchanges pursuant to the provisions of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 C.F.R Part 22.

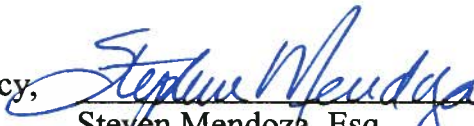
The basis for this motion is as follows: On October 1, 2008, Administrative Law Judge William B. Moran issued a Prehearing Order directing the Parties to make prehearing exchanges by Monday, December 1, 2008. On October 2, 2008, the EPA filed a Notice of Unavailability (the "Notice") stating that EPA's counsel, Padmavati Bending, would be unavailable from October 8, 2008 through October 29, 2008, due to surgery. The Notice was submitted by Ms. Bending's section chief, Stephen Mendoza. The Parties agree that, given Ms. Bending's unavailability for three weeks of time preceding the exchange of prehearing


exhibits, it would be appropriate to extend, by one month, the deadline for the Parties to file prehearing exchanges

Therefore, the Parties jointly move the Court for an Order revising its Prehearing Order to provide that prehearing exchanges must be made by Thursday, January 1, 2009.

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Steven Mendoza, Esq.  
for Padmavati G. Bending, Esq.  
Attorney for Complainant, Director of  
the Air and Radiation Division, U.S.  
Environmental Protection Agency,  
Region 5

  
Donald P. Gallo, Esq.  
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WI State Bar ID. No. 1017769  
Attorneys for Wolf Paving Co., Inc.

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Respondent.	)	
_____	)	

**CERTIFICATE OF SERVICE**

I hereby certify that Complainant's and Respondent's Joint Motion for  
Extension of Time was sent this day by Federal Express overnight delivery service  
to the addressees indicated below:

Original and three copies to:

Regional Hearing Clerk, (E-13J)  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

One copy to:

Judge William B. Moran  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Franklin Court Building  
1099 14th Street N.W. Suite 350  
Washington, DC 20460

One copy to:


Steven Mendoza, Esq.  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

One copy to:

Padmavati Bending, Esq. (C-14J)  
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77 West Jackson Boulevard  
Chicago, Illinois 60604

Dated this 23rd day of October, 2008.

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