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**In the matter of:**

**Docket No. TSCA-05-2010-0001**

**Cindy Draher  
Akron, Ohio**

**Second Supplemental Response to the  
Respondent's Response to Order to Show  
Cause**

**Respondent**

Counsel for Respondent was advised this morning that Respondent, Cindy Draher, had to go to the hospital emergency room for an anxiety attack because of this pending matter.

Counsel for Respondent believes that counsel for the Complainant will agree that this has been a very erratic process even prior to the filing of the Complaint. Counsel for the Complainant indicated that during the preliminary process prior to filing the Complaint, it was difficult to assemble information and was always late. The same problem we are having with Cindy.

Despite constant communication with our client, the Complainant has more information at this point than we have on the issues in the Complaint.

As counsel for Respondent stated in the Supplement, Cindy Draher now realizes that with her health and the effort required to resolve this conflict, she must permit the office manager to cooperate with this office and have a meaningful pre-hearing exchange.

Cindy Draher does have a competent office manager and she has started working with me to provide a pre-hearing statement.

On a more positive note, we have recommended that the local real estate board require the lead paint requirements as part of their sale contracts and we will not stop after this is over.

The ultimate purpose is a solution based on all the facts to reach a reasonable conclusion.

I would appreciate a little more time and we will be in compliance. Be assured counsel for Respondent will provide a pre-hearing exchange as a priority.

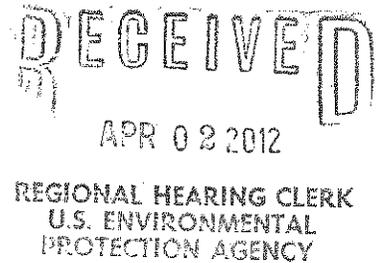
Respectfully submitted,

**SKIDMORE & ASSOCIATES**



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*Attorney for Respondent, Cindy Draher,  
C & D Properties*



**CERTIFICATE OF SERVICE**

I certify that copies of the foregoing Second Supplemental Response to the Respondent's Response to Order to Show Cause, dated March 19, 2012, issued by M. Lisa Buschmann, Administrative Law Judge was sent this 28<sup>th</sup> day of March, 2012, in the following manner to the addresses listed below:

Facsimile Transmission and regular U.S. mail to:

La Dawn Whitehead, Regional Hearing Clerk  
U.S. EPA, Region V., MC-E19J  
Office of Enforcement and Compliance Assurance  
77 West Jackson Blvd.  
Chicago, IL 60604-2405  
Fax: 312/692-2405

Facsimile Transmission and regular U.S. mail to:

Jeffery Trevino, Office of Regional Counsel (C-14J)  
U.S. EPA  
77 West Jackson Boulevard  
Chicago, IL 60604  
Fax: 312/692-2987

Facsimile Transmission and regular U.S. mail to:

The Honorable M. Lisa Buschmann  
Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W., Mail Code 1900L  
Washington, DC 20460  
Fax: 202/565-0044

  
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