

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

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In the Matter of:	)	
	)	Docket No. TSCA-05-2009-0013
MEHRAN NICHOLAS VALIYI	)	
INDIANAPOLIS, INDIANA	)	Honorable Barbara A. Gunning
	)	Alternative Dispute Resolution Neutral
Respondent	)	

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

**Status Report Regarding Alternative Dispute Resolution**

In the above-captioned matter, the United States Environmental Protection Agency, Region 5 (Complainant) and Mehran Nicholas Valiyi (Respondent) have been participating in the alternative dispute resolution (ADR) process offered by the Office of Administrative Law Judges. On May 19, 2009, counsel for Complainant and Respondent participated in an ADR call with Administrative Law Judge Gunning. At that time, based upon information including but not limited to Mr. Valiyi's filing for Chapter 7 bankruptcy protection, with respect to Complainant's planned course of action in this matter, Complainant's counsel advised Judge Gunning and Respondent's counsel of Complainant's intent to seek permission to withdraw the complaint, without prejudice.

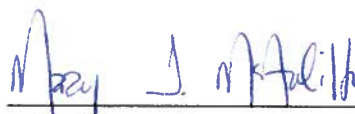
At this time, Complainant is not seeking to continue the ADR process, and intends to move forward with the filing of its motion seeking permission to withdraw the complaint without prejudice along with an order of dismissal from the Chief Administrative Law Judge.

Complainant understands that Respondent is not opposed to Complainant's proposed course of action.

In the Matter of Mehran Nicholas Valiyi, Docket No. TSCA-05-2009-0003

Respectfully submitted,

U.S. Environmental Protection Agency

A handwritten signature in blue ink, appearing to read "Mary T. McAuliffe", is written above a horizontal line.

Mary T. McAuliffe

Associate Regional Counsel

U.S. Environmental Protection Agency

Region 5 (C-14J)

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In the Matter of Mehran Nicholas Valiyi, Docket No. TSCA-05-2009-0005

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CERTIFICATE OF SERVICE

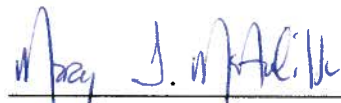
I hereby certify that on the 2<sup>nd</sup> of June, 2009, I filed the original and one copy of Complainant's Status Report Regarding Alternative Dispute Resolution with the Regional Hearing Clerk, U.S. EPA Region 5, 77 West Jackson Blvd., Chicago, Illinois 60604, and placed for pickup to be mailed a copy of Complainant's Status Report Regarding Alternative Dispute Resolution, by Pouch Mail to:

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

The Honorable Barbara A. Gunning  
Administrative Law Judge  
Office of the Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900L  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460-2001

and placed for pickup to be mailed a copy of Complainant's Status Report Regarding Alternative Dispute to:

Bruce D. Brattain, Esquire  
Mario Garcia, Esquire  
Brattain & Minnix,  
151 N. Delaware Street, #760  
Indianapolis, Indiana 48204



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