



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:
(C-14J)

May 23, 2012

Judge Lisa Buschmann
Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W., Mail Code 1900L
Washington, D.C. 20460

Re: In the Matter of: Dessie L. Brumfield, d/b/a/ Brumfield Properties, L.L.C.
Docket No. TSCA-05-2010-0014.

Dear Judge Buschmann:

Enclosed, please find a copy of COMPLAINANT STATUS REPORT which I filed with the Regional Hearing Clerk today for this civil administrative action. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Trevino".

Jeffery M. Trevino
Associate Regional Counsel

Enclosure

cc: LaDawn Whitehead
Regional Hearing Clerk
Region 5
U.S. Environmental Protection Agency
77 W. Jackson Boulevard (E-19J)
Chicago IL 60604-3590

Thomas J. McClure
McClure Law Offices
15 Crossroads Court
Delafield WI 53018-2035

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**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

In the Matter of:)
)
Dessie L. Brumfield,) **Docket No. TSCA-05-2010-0014**
d/b/a/ Brumfield Properties, L.L.C.,)
)
Respondent.)

COMPLAINANT STATUS REPORT

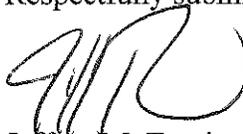
Complainant hereby files this Status Report for the Court in preparation for the Hearing for this civil administrative action scheduled for Tuesday, August 7, 2012, in Milwaukee, Wisconsin.

1. On March 6, 2012, the Court issued an Order which stated “[T]he parties shall continue in good faith to attempt to negotiate a settlement of this case.”
2. On March 14, 2012, Counsel for Complainant sent to Counsel for Respondent (“tmcclore@execpc.com”) an e-mail which requested an opportunity to meet and explore settlement options for this action. Counsel for Complainant sent the e-mail to Counsel for Respondent to “tmcclore@execpc.com,” the e-mail address provided by Counsel for Respondent in its Response To Order To Show Cause, dated March 5, 2012.
3. On March 30, 2012, the Court issued its Order Scheduling Hearing for this action which ordered the parties to “hold a settlement conference and attempt to reach an amicable resolution of this matter” and ordered Complainant to file a status report by April 20, 2012.

4. In March and April of 2012 Counsel for Complainant made several calls to Counsel for Respondent (at Business Tel. No. (262) 646-5300 and Cellular Tel. No. (262) 269-8280) which requested an opportunity to meet and explore settlement options.
5. On April 19, 2012, Counsel for Respondent returned the calls to Counsel for Complainant and held a five minute meeting.
6. On April 20, 2012, Counsel for Complainant sent to Counsel for Respondent an e-mail which attached documents intended to facilitate the settlement of this action. At the request of Counsel for Respondent, Counsel for Complainant sent the e-mail to Counsel for Respondent to "tmccclure2@yahoo.com."
7. Counsel for Respondent has not notified Counsel for Complainant whether Respondent intends to complete and return the subject documents.
8. On May 3, 2012, Counsel for Complainant sent to Counsel for Respondent an e-mail (to "tmccclure2@yahoo.com") which asked whether Respondent would complete the documents attached to the earlier e-mail, dated April 20, 2012. The e-mail also provided dates Complainant would like to meet with Respondent and her Counsel in Milwaukee, Wisconsin.
9. On May 18, 2012, Counsel for Complainant sent to Counsel for Respondent another e-mail (to "tmccclure2@yahoo.com" and "tmccclure@execpc.com") which asked whether Respondent would complete the documents attached to the earlier e-mail, dated April 20, 2012, and whether Respondent and her Counsel would meet with Complainant in Milwaukee, Wisconsin.

10. On May 18, 2012, Counsel for Complainant spoke to Counsel for Respondent by telephone (at Cellular Tel. No. (262) 269-8280), but Counsel for Respondent was unable to state whether Respondent would complete the documents attached to the earlier e-mail, dated April 20, 2012, or meet with Complainant in Milwaukee, Wisconsin.
11. Therefore, Complainant believes it fulfilled the Orders of the Court to “continue in good faith to attempt to negotiate a settlement of this case.”
12. Complainant will continue to try to meet with Respondent and “continue in good faith to attempt to negotiate a settlement of this case.”
13. The parties proceed towards the hearing for this action scheduled for Tuesday, August 7, 2012, in Milwaukee, Wisconsin.

Respectfully submitted,



Jeffery M. Trevino
Associate Regional Counsel
Office of Regional Counsel
Region 5
U.S. Environmental Protection Agency
77 West Jackson Boulevard (C-14J)
Chicago, Illinois 60604-3590
Tel. No. (312) 886-6729

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:

Dessie L. Brumfield,
d/b/a/ Brumfield Properties, L.L.C.,

Respondent.

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) Docket No. TSCA-05-2010-0014
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CERTIFICATE OF SERVICE

I hereby certify that today I filed with LaDawn Whitehead, Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, 77 West Jackson Boulevard (E-19J), Chicago, Illinois, 60604-3590, the original document entitled COMPLAINT STATUS REPORT for this civil administrative action and I issued to the Court and Respondent by first class mail a copy of the original document:

Judge Lisa Buschmann
Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Thomas J. McClure
McClure Law Offices
15 Crossroads Court
Delafield, WI 53018-2035



Jeffery M. Trevino
Associate Regional Counsel.

23 May 2012
Dated