



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

RECEIVED MAY 21 2012

In the Matter of:

Patrick Wilber, YaYa Milwaukee, LLC, and Sancho Properties, LLC,

Respondents

) ) ) ) ) ) Docket No. TSCA-05-2011-0021 ) Dated: May 17, 2012

REGIONAL HEARING CLERK U.S. ENVIRONMENTAL PROTECTION AGENCY

ORDER ON RESPONDENTS' MOTION FOR EXTENSION OF TIME

On March 15, 2012, a Prehearing Order was issued directing Respondents to file Prehearing Exchanges of Information on or before May 18, 2012. On May 16, 2012, Respondent Patrick Wilber filed a Motion for Extension of Time ("Motion"), requesting that the deadline for filing his Prehearing Exchange be extended by sixty (60) days. In the Motion, Mr. Wilber indicates that the parties have engaged in settlement negotiations, and that he requires additional time to obtain legal representation in a good-faith effort to resolve this matter amicably. Agency counsel has orally informed the undersigned's staff attorney that Complainant does not oppose the Motion.

Agency policy strongly supports settlement of a proceeding without a formal hearing. The grounds stated in the Motion warrant a reasonable extension of the filing deadline. The Rules of Practice empower a presiding Administrative Law Judge to extend the deadline "for filing any document: upon timely motion of a party . . . , for good cause shown, and after consideration of prejudice to other parties; or upon its own initiative." 40 C.F.R. § 22.7(b). For good cause shown, the remaining deadlines in the Prehearing Order dated March 15, 2012, are extended by thirty (30) days. If the parties have not filed a fully executed Consent Agreement and Final Order settling this matter beforehand, Respondents shall file their Prehearing Exchange(s) on or before June 18, 2012, and Complainant shall file its Rebuttal Prehearing Exchange on or before July 2, 2012. If any party intends to file a dispositive motion regarding liability, it shall do so on or before August 1, 2012.

SO ORDERED.

M. Lisa Buschmann Administrative Law Judge

**In the Matter of *Patrick Wilber, YaYa Milwaukee & Sancho Properties LLC*, Respondent.  
Docket No. TSCA-05-2011-0021**

CERTIFICATE OF SERVICE

I certify that the foregoing **Order on Respondent's Motion for Extension of Time**, dated May 17, 2012, was sent this day in the following manner to the addressees listed below.

  
Knolyn R. Jones  
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

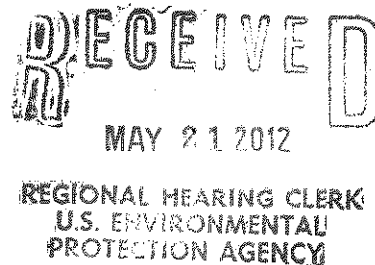
LaDawn Whitehead  
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One Copy by Mail to:

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One Copy by Mail to:

Patrick Wilber  
Registered Agent  
YaYa Milwaukee, LLC  
3201 N. Holten Street  
Milwaukee, WI 53225



**Dated: May 17, 2012  
Washington, D.C.**