



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

August 5, 2008

REPLY TO THE ATTENTION OF

E-13J

Eurika Durr, Clerk
Environmental Appeals Board
U.S. EPA
1341 G Street, NW
Suite 600
Washington, D.C. 20005

FedEx #s: 806329468163, 806329468174, 806329468185, 806329468196, 806329468200, 806329468222

Re: Rocky Well Service, Inc. and Edward J. Klockenkemper, Respondent
Docket #: SDWA-05-2001-0002

Dear Eurika,

Pursuant to 40 C.F.R. §22.27(a), please find attached a complete index record of the above mentioned case matter transmitted to be reviewed by the Environmental Appeals Board along with a copy of the Default Order filed July 23, 2008.

Should have questions or need additional information, please feel free to contact Tywana Greene at (312) 353-5793.

Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read "Tywana Greene".

Tywanna Greene
Acting Regional Hearing Clerk

Attachments

cc:

Richard J. Day, P.C., Esquire
413 N. Main Street
St. Elmo, IL 62458
By: **Regular US Mail**

Felipe N. Gomez, Esquire
Law Office of Felipe N. Gomez
P. O. Box 220550
Chicago, Illinois 60622
By: **Regular US Mail**

Cynthia Kawakami, Esquire
Mary McAuliffe, Esquire
Associate Regional Counsel
U.S. EPA – Region V -- ORC
7 W. Jackson Blvd., C-14J
Chicago, Illinois 60604-3590
by: **Inter-Office Mail**

Date Filed	Document Title	Submitter
07/09/2001	Administrative Complaint	
07/18/2001	Notice of changed docket number from UIC-5-2001-002 to SDWA-05-2001-0002	Cynthia N. Kawakami
08/10/2001	Motion for Extension of Time to Plea.	Richard J. Day
08/13/2001	Order -- Motion Granted. Respondent shall have until August 24, 2001, to file answer or otherwise plea.	Regina M. Kossek, RJO
08/27/2001	Answer to Administrative Complaint	Richard J. Day
08/28/2001	Forward Complaint and Answer to Regional Judicial Officer, Regina Kossek	Sonja Brooks-Woodard, RHC
09/20/2001	Notice and Order	Regina M. Kossek, RJO
10/25/2001	Report of Telephone Conference and Order: November 9, 2001 -- Respondent shall supply financial information; November 29, 2001 -- EPA shall notify the undersigned if the information is insufficient and December 6, 2001 -- 10:00 AM Central Time, Conference call to be initiated by the undersigned.	Regina M. Kossek, RJO
11/29/2001	Status Report	Cynthia N. Kawakami, Complainant
12/05/2001	Motion to Continue Status Hearing	Richard J. Day
01/11/2002	Motion to Stay the Proceedings for 90 Days	Cynthia N. Kawakami, Complainant
01/18/2002	Order Granting Stay of Proceedings -- The matter is stayed until March 13, 2002.	Regina M. Kossek, RJO
03/20/2002	Complainant's Status Report	Cynthia N. Kawakami
04/08/2002	Report of Telephone Conference and Order	Regina M. Kossek, RJO
05/01/2002	Complainant's Motion to Amend the Complaint, Memorandum in Support of Motion to Amend and Proposed Amended Complaint	Cynthia N. Kawakami
05/06/2002	Complainant's Status Report	Cynthia N. Kawakami
05/17/2002	Motion for Additional Time to Respond to EPA's Motion to Amend Pleading	Eugene P. Schmitigens, Jr.
05/21/2002	Order on Motion to Amend Complaint and Order on Request for Extension of Time to Answer -- Complainant's Motion to Amend Complaint is hereby GRANTED. Respondent's Motion for Additional time to respond to EPA's Motion to Amend Pleading is hereby GRANTED. Respondent shall have until June 11, 2002 within which to file its answer or otherwise plea to the Amended Complaint. Order on Motion to Reconsider. Respondent's Motion Granted. The Order of May 21, 2002 granting Complainant's Motion to Amend is hereby vacated. The Respondent shall have until June 27, 2002 within which to respond to Complainant's Motion to Amend. The Complainant shall have until July 11, 2002 within which to reply.	Regina M. Kossek, RJO
06/07/2002	Motion to Reconsider	
06/27/2002	Memorandum of E. J. Klockenkemper in Opposition to Complainant's Motion to Amend the Complaint	Eugene P. Schmitigens, Jr., for Re:
07/11/2002	Complainant's Reply to E. J. Klockenkemper's Memorandum in Opposition to Complainant's Motion to Amend the Complaint	Eugene P. Schmitigens, for Respor
02/06/2003	Order Granting Leave to Amend Complaint	Cynthia N. Kawakami
02/20/2003	Certificate of Service and Amended Administrative Complaint	Regina M. Kossek, RJO
02/21/2003	Notice of (Respondent's Counsel) Withdrawal	Jeffrey McDonald
03/07/2003	Notice of Withdrawal	Eugene P. Schmitigens, Jr.
03/21/2003	Order -- Motion Granted. Respondent shall have until April 15, 2003 within which to file its answer or otherwise plead.	Richard E. Greenberg, for Respond
03/24/2003	Respondent Ed Klockenkemper's Appearance of New Counsel and Motion for Extension of Time to Respond to Amended Complaint	Regina M. Kossek, RJO
03/25/2003	Rocky Well Service Inc.'s Answer to Amended Administrative Complaint and Request for Hearing.	Richard J. Day
03/27/2003	Notice of Appearance	Richard J. Day
03/30/2003	Letter Transmitting Complaint, Answer, and Request for Hearing to Regional Judicial Officer, Regina Kossek.	Mary T. McAuliffe, for Complainant
03/31/2003	Order Rescheduling Conference Call -- Rescheduled for April 30, 2003 at 10:00 a.m. CDT.	Sonja Brooks-Woodard, RHC
04/02/2003	Motion to Continue Status Hearing	Regina M. Kossek, RJO
04/15/2003	Edward J. Klockenkemper's Motion and Memorandum in Support to Dismiss Amended Complaint and Respondent Klockenkemper's Memorandum in Support of Motion to Dismiss Amended Complaint.	Richard J. Day, for Respondent
04/18/2003	Complainant's Notice of Absence of One of its Counsel	Felipe N. Gomez
04/29/2003	Complainant's Response to Respondent's Motion to Dismiss Administrative Complaint.	Cynthia N. Kawakami
05/01/2003	Report of Telephone Conference	Mary T. McAuliffe & for Cynthia N. I
05/14/2003	Respondent E. J. Klockenkemper's Reply to Complainant's Response to Respondent's Motion to Dismiss Amended Complaint and Certificate of Service.	Regina M. Kossek, RJO
05/15/2003	Complainant's Motion for Extension of Time to Respond to Respondent's Reply to Complainant's Response to Respondent's Motion to Dismiss Administrative Complaint.	Felipe N. Gomez
		Mary T. McAuliffe

Date Filed	Document Title	Submitter
05/16/2003	Order -- Complainant's Motion for Extension of Time to Respond to Respondent's Reply to Complainant's Response to Respondent's Motion to Dismiss Administrative Complaint is hereby Granted. Complainant shall have until June 16, 2003 within which to respond to the above cited Reply.	Regina M. Kossek, RJO
06/16/2003	Complainant's Response to Respondent Klockenkemper's May 14, 2003 Reply	Cynthia N. Kawakami & Mary T. Mc
05/03/2005	Decision and Order Denying Respondent's Motion to Dismiss Amended Complaint	Regina M. Kossek, RJO
05/18/2005	Order Modifying Schedule	Regina M. Kossek, RJO
05/18/2005	Respondent Klockenkemper's Motion for Extension of Time to Answer and Notice of New Address for Respondent Klockenkemper's Counsel	Felipe N. Gomez, for Respondent
06/13/2005	Complainant's Status Report	Cynthia N. Kawakami
06/20/2005	Status Report	Felipe N. Gomez, for Respondent
07/11/2005	Respondent Klockenkemper's Answer, Affirmative Defenses, and Request for Hearing.	Felipe N. Gomez, for Respondent
11/21/2005	Order Scheduling Status Conference	Marcy A. Toney, RJO
12/05/2005	Prehearing Order	Marcy A. Toney, RJO
01/23/2006	Complainant's Joint Initial Prehearing Information Exchange Pursuant to 40 C.F.R. Part 22.19 (Note: CBI)	Felipe N. Gomez
01/23/2006	Complainant's Initial Prehearing Exchange.	Cynthia N. Kawakami
02/02/2006	Order Regarding Service	Marcy A. Toney, RJO
02/10/2006	Respondents' First Set of Amendments and Supplements to January 23, 2006, Joint Initial Prehearing Information Exchange Pursuant to 40 C.F.R. Part 22.19; Certificate of Service; and Redacted copy of Rocky Well Service, Inc. 2002 Ability to Pay Analysis (Note: CBI attached).	Felipe N. Gomez, for Respondent
02/13/2006	Complainant's Motion for an Order. Striking Respondent Klockenkemper's Affirmative Defenses in His Answer and for a Ruling that Respondent's Answer Does Not Constitute a Motion to Dismiss the Amended Administrative Complaint or any other Motion under the Consolidated Rules of Practice, and for any other Relief Consistent with Complainant's Motion.	Cynthia N. Kawakami
02/13/2006	Memorandum In Support of Complainant's Motion for an Order. Striking Respondent Klockenkemper's Affirmative Defenses in His Answer and for a Ruling that Respondent's Answer Does Not Constitute a Motion to Dismiss the Amended Administrative Complaint or any other Motion under the Consolidated Rules of Practice, and for any other Relief Consistent with Complainant's Motion.	Cynthia N. Kawakami, for Complainant
02/16/2006	Respondent Klockenkemper's First Set of Requests to Admit	Felipe N. Gomez, for Respondent
02/21/2006	Proof of Service for Amended Complaint (Green Cards: 7001 0320 0006 0176 8414 signed March 3, 2003 and 7001 0320 0006 0176 8407 signed February 24, 2003).	Cynthia Kawakami, for Complainant
03/01/2006	Respondent Klockenkemper's Motion for Enlargement of Time to Respond to USEPA Motion to Strike Affirmative Defenses. Order Granting Extension of Time. Unopposed Motion for Enlargement of Time to Respond to USEPA Motion to Strike Affirmative Defenses is Granted. Respondent shall have until March 14, 2006 to respond to EPA's Motion.	Felipe N. Gomez
03/02/2006	Complainant's Motion for an Order. Compelling Respondent Rocky Well Service, Inc. and Respondent Edward J. Klockenkemper to Submit a Joint Prehearing Exchange that Complies with the Presiding Officer's December 5, 2005 Prehearing Order, and the Consolidated Rules of Practice, and for a Ruling that certain Statements in their Joint Prehearing Exchange do not Properly Identify Memorandum in Support of Complainant's Motion for an Order Compelling Respondent Rocky Well Service, Inc. and Respondent Edward J. Klockenkemper to Submit a Joint Prehearing Exchange that Complies with the Presiding Officer's December 5, 2005 Prehearing Order, and the Consolidated Rules of Practice, and for a Ruling that Certain Statements in their Joint Prehearing Respondent E. J. Klockenkemper's Response to Complainant's February 13, 2006, Motion to Strike Affirmative Defense.	Marcy A. Toney, RJO
03/03/2006	Complainant's Motion for an Order. Ruling that Respondent Klockenkemper's First Set of Requests to Admit and Threat of Sanctions Against Complainant in this Matter are not Authorized by the Federal Rules of Civil Procedure; and Stating that all Requests for Admissions in this Matter, under the Consolidated Rules of Practice, will be Handled Following the Prehearing Order.	Cynthia N. Kawakami
03/14/2006	Complainant's Motion for an Order. Ruling that Respondent Klockenkemper's First Set of Requests to Admit and Threat of Sanctions Against Complainant in this Matter are not Authorized by the Federal Rules of Civil Procedure; and Stating that all Requests for Admissions in this Matter, under the Consolidated Rules of Practice, will be Handled Following the Prehearing Order.	Felipe N. Gomez
03/17/2006	Complainant's Motion for an Order. Ruling that Respondent Klockenkemper's First Set of Requests to Admit and Threat of Sanctions Against Complainant in this Matter are not Authorized by the Federal Rules of Civil Procedure; and Stating that all Requests for Admissions in this Matter, under the Consolidated Rules of Practice, will be Handled Following the Prehearing Order.	Cynthia N. Kawakami
03/22/2006	Complainant's Motion for an Extension of Time to File its Reply to Respondent Klockenkemper's Response to Complainant's Motion to Strike Respondent Klockenkemper's Affirmative Defenses.	Cynthia Kawakami, for Complainant
		Cynthia N. Kawakami

Date Filed	Document Title	Submitter
03/24/2006	Response to Complainant's Motion for an Order Compelling Respondent Rocky Well Service, Inc. and Respondent E. J. Klockenkemper to Submit a Joint Prehearing Exchange that Complies with the Presiding Officer's December 5, 2005 Prehearing Order and the Consolidated Rules of Practice, etc.	Richard J. Day, for Respondent
03/24/2006	Certificate of Filing and Service of Motion; Respondent Klockenkemper's Initial Objections to Sufficiency of Complainant's Prehearing Exchange and Motion for Order Requiring Supplementation of Prehearing Exchange by USEPA as to Respondent Mr. Klockenkemper, and Memorandum in Support of Respondent Klockenkemper's Motion for Order Requiring Supplementation of the Order Granting Extension of Time. Complainant shall have until March 30, 2006 to reply to Respondent's response.	Felipe N. Gomez, for Respondent
03/29/2006	Certificate of Filing and Service of Motion; Respondent Klockenkemper's Motion for Leave to File First Supplemental Answer	Marcy A. Toney, RJO Felipe N. Gomez, for Respondent
03/29/2006	Amending Respondent's July 11, 2005, Answer to add Affirmative Defenses, Instanter	
03/29/2006	Certificate of Filing and Service of Motion; Respondent Klockenkemper's Motion to Strike and Exclude Exhibit 31 of Complainant's January 23, 2006, Prehearing Exchange; and Memorandum in Support of Respondent Klockenkemper's Motion to Strike and Exclude Exhibit 31 of Complainant's January 23, 2006, Prehearing Exchange.	Felipe N. Gomez, for Respondent
03/29/2006	Certificate of Filing and Service of Response; Respondent Klockenkemper's Response Objecting to Complainant's March 17, 2006, Motion Requesting Leave to Delay Answering Respondent's February 16, 2006, Requests for Admissions; and Respondent Klockenkemper's Response Objecting to Complainant's March 17, 2006, Motion Requesting Leave to Delay Answering Respondent's Klockenkemper's Response Objecting to Complainant's March 17, 2006, Motion Requesting Leave to Delay Answering Respondent's Complainant's Reply to Respondent Rocky Well Service, Inc.'s March 24, 2006 Response to Complainant's Motion for an Order, Compelling Respondent Rocky Well Service, Inc., and Respondent Edward J. Klockenkemper to Submit a Joint Prehearing Exchange that Complies with the Presiding Officer's December 5, 2005 Prehearing Order, and the Consolidated Rules of Practice, and for a Complainant's Reply to Respondent Edward J. Klockenkemper's Response to Complainant's February 13, 2006 Motion to Strike Affirmative Defenses.	Cynthia N. Kawakami
03/30/2006	Complainant's Reply to Respondent Klockenkemper's March 29, 2006 Response to Complainant's Motion Regarding Respondent's First Set of Requests to Admit.	Cynthia A. Kawakami
04/10/2006	Complainant's Response to Respondent Klockenkemper's March 24, 2006 Initial Objections to Sufficiency of Complainant's Prehearing Exchange and Motion for Order Requiring Supplementation of Prehearing Exchange by USEPA as to Respondent Mr. Klockenkemper.	Mary T. McAuliffe
04/13/2006	Complainant's Response to Respondent Klockenkemper's March 29, 2006 Motion to Strike and Exclude Exhibit 31 of Complainant's January 23, 2006 Prehearing Exchange.	Cynthia N. Kawakami
04/13/2006	Complainant's Response to Respondent Klockenkemper's March 29, 2006 Motion for Leave to File First Supplemental Answer	Cynthia N. Kawakami
04/24/2006	Amending Respondent's July 11, 2005 Answer to Add Affirmative Defenses, Instanter.	Felipe N. Gomez
04/25/2006	Respondent Klockenkemper's Reply to Complainant's April 10, 2006, Response to Respondent's March 24, 2006, Motion for Order Requiring Supplementation of the Complainant's Prehearing Exchange as to Mr. Klockenkemper	Mary T. McAuliffe
04/28/2006	Complainant's Supplemental Prehearing Exchange	Felipe N. Gomez, for Respondent
05/05/2006	Certificate of Service and Service of Replies; Respondent Klockenkemper's Reply to Complainant's April 13, 2006, Response to Respondent's March 29, 2006, Motion for Leave to Amend to Add Affirmative Defense; and Respondent Klockenkemper's Reply to Complainant's April 13, 2006, Response to Respondent's March 29, 2006, Motion to Strike Exhibit 31.	Mary T. McAuliffe
05/17/2006	Complainant's Sur Reply to Respondent Klockenkemper's April 28, 2006 Reply to Complainant's April 13, 2006 Response Respondent's Motion to Strike and Exclude Exhibit 31 of Complainant's January 23, 2006 Prehearing Exchange.	
05/17/2006	Decision and Order on Motions	
05/17/2006	RJO filed Substituted page 11 of Decision and Order on Motions originally filed on May 17, 2006.	Marcy A. Toney, RJO
05/25/2006	Report of Conference Call and Order	Marcy A. Toney, RJO
06/06/2006	Respondent Klockenkemper's Answer, Amended Affirmative Defenses, and Request for Hearing.	Marcy A. Toney, RJO
06/14/2006	Order Regarding Conference Call	Marcy A. Toney, RJO
06/16/2006	Revised Attachment 1 to Respondent's Initial Joint Prehearing Exchange.	Felipe N. Gomez, for Respondent
06/21/2006	Certificate of Service of Respondent's Revised Witness Narrative and marked Exhibits.	Felipe N. Gomez, for Respondent
06/27/2006	Report of Conference Call and Order	Marcy A. Toney, RJO
07/12/2006	Transmittal letter reminding counsel of the conference call scheduled Thurs., July 13, 2006 @ 3:00 p.m.	Marcy A. Toney, RJO
07/17/2006	Report of Conference Call and Order	Marcy A. Toney, RJO

Date Filed	Document Title	Submitter
07/21/2006	Certificate of Filing, Mailing and Service of Respondents' Joint Motion for Partial Accelerated Decision and for Dismissal of Entire Cause or Certain Claims with Prejudice; Respondents' Memorandum of Law in Support of Joint Motion for Partial Accelerated Decision and for Dismissal of Entire Cause or Certain Claims with Prejudice; and Affidavit of Counsel Certifying Joint Motion, Memorandum Complainant's Motion for A Partial Accelerated Decision as to the Liability of Respondent, Rocky Well Service, Inc. and Respondent Edward J. Klockenkemper; Complainant's Memorandum in Support of Motion for A Partial Accelerated Decision as to the Liability of Respondent, Rocky Well Service, Inc. and Respondent Edward J. Klockenkemper; Complainant's Second Supplemental Prehearing Order: A conference call regarding the motion filed by Respondent on August 10, 2006 is hereby scheduled for Monday, August 14, 2006 at 2 p.m. Call Number: (886) 299-3188; Conf. Code: 312886823.	Felipe N. Gomez, for Respondent Cynthia N. Kawakami
08/10/2006	Report of Conference Call and Order	Marcy A. Toney, RJO
08/14/2006	Complainant's Relabeled Exhibits 60 and 68 and Revised Pages 45 through 47 of its previously filed Memorandum in Support of Complainant's Motion for Partial Accelerated Decision.	Marcy A. Toney, RJO Cynthia N. Kawakami
08/15/2006	Complainant's Response to Respondent Rocky Well Service, Inc.'s and Respondent Edward J. Klockenkemper's Joint Motion for Partial Accelerated Decision for Dismissal of Entire Cause or Certain Claims.	Cynthia N. Kawakami
08/28/2006	Respondent Rocky Well Service Inc.'s Response to Complainant's Motion for a Partial Accelerated Decision as to the Liability of Respondent, Rocky Well Service, Inc. and Respondent Edward J. Klockenkemper.	Richard J. Day
08/28/2006	Respondent E. J. Klockenkemper's Response in Opposition to July 21, 2006 EPA Motion for Partial Accelerated Decision as to Liability.	Felipe N. Gomez
08/28/2006	Certificate of Filing and Service of Respondents' Supplemental Joint Prehearing Exchange.	Felipe N. Gomez, for Respondents Felipe N. Gomez and Richard J. Day
08/28/2006	Respondents' Joint Supplemental Prehearing Information Exchange Pursuant to 40 CFR Part 22.19.	Felipe N. Gomez
09/18/2006	Respondents' Reply to Complainant's August 28, 2006, Response to Respondents' July 21, 2006, Joint Motion for Accelerated Decision and for Dismissal of Entire Cause or Certain Claims with Prejudice.	Felipe N. Gomez
09/18/2006	Respondent's Motion to Compel EPA to Produce all Enclosures and Attachments to Complainant's Exhibit 33 and Reservation of Right to Request and File Sur Reply.	Cynthia N. Kawakami
09/18/2006	Complainant's Reply to Respondent Edward J. Klockenkemper's Response to Complainant's Motion for A Partial Accelerated Decision.	Cynthia Kawakami
09/18/2006	Complainant's Reply to Respondent Rocky Well Service, Inc.'s Response to Complainant's Motion for Partial Accelerated Decision.	Cynthia N. Kawakami
09/18/2006	Complainant's Response to Respondent Edward J. Klockenkemper's Motion to Compel EPA to Produce All Enclosures and Attachments to Complainant's Exhibit 33.	Felipe N. Gomez
10/03/2006	Respondent's Reply to and Request to Strike Complainant's Response to Motion to Compel EPA to Produce all Enclosures and Attachments to Complainant's Exhibit 33.	Marcy A. Toney, RJO Cynthia N. Kawakami
10/18/2006	Order to Compel Production of Documents	Marcy A. Toney, RJO
10/23/2006	Complainant's Submittal of Complainant's Exhibit 33, Including All Enclosures, Pursuant to the Presiding Officer's October 23, 2006 Order.	Marcy A. Toney, RJO
10/30/2006	Order Scheduling Status Conference	Marcy A. Toney, RJO
11/06/2006	Order and Notice of Hearing. Hearing Scheduled to commence at 9:30 a.m. on Tuesday, April 24, 2007 and continuing as necessary, through May 4, 2007 in area of Mt. Vernon, Benton, or Effingham, IL).	Marcy A. Toney, RJO
11/27/2006	Complainant's Motion to Compel Discovery Related to Respondent's Ability to Pay (CBI, Unredacted Declaration of Gail B. Coad, attached)	Mary T. McAuffie
12/27/2006	Partial Accelerated Decision	Marcy A. Toney, RJO
01/03/2007	Respondents' Joint Response in Objection to EPA December 12, 2006, Motion to Compel.	Felipe N. Gomez
01/11/2007	Complainant's Reply to Respondents' Joint Response in Objection to Complainant's Motion to Compel Discovery Related to Respondents' Ability to Pay.	Mary T. McAuffie
01/31/2007	Order on Complainant's Motion to Compel Discovery Related to Respondents' Ability to Pay	Marcy A. Toney, RJO

Date Filed	Document Title	Submitter
02/16/2007	(Unredacted) Certificate of Filing and Service of Addendum to Respondents' August 28, 2006 Joint Supplemental Prehearing Information Exchange; Addendum to Respondents' August 28, 2006 Joint Supplemental Prehearing Information Exchange. (CBI)	Felipe N. Gomez & Richard J. Day, Respondents
02/16/2007	Joint Status Report for Respondents E. J. Klockenkemper and Rocky Well Service, Inc. and Certificate of Service.	Felipe N. Gomez, for Respondents
02/16/2007	Respondent Klockenkemper's Motion to Bar EPA's Presentation or Entry of Evidence of Personal Family Finances or Personal Assets.	Felipe N. Gomez, for Respondent Klockenkemper
02/20/2007	Complainant's Status Report	Mary T. McAuliffe
02/20/2007	Complainant's Response to Respondent Klockenkemper's Motion to Bar Complainant's Presentation or Entry of Evidence of Personal Finances or Personal Assets.	Mary T. McAuliffe
02/28/2007	Complainant's Motion in Limine to Exclude some of Respondents' Exhibits.	Cynthia N. Kawakami
02/28/2007	Complainant's Memorandum in Support of its Motion in Limine to Exclude some of Respondents' Proposed Exhibits that are Irrelevant to the Sole Remaining Issue for Hearing - The Appropriateness of the Proposed Penalty in this Case.	Cynthia N. Kawakami
02/28/2007	Complainant's Motion in Limine to Exclude some of Respondents' Witnesses.	Cynthia N. Kawakami
02/28/2007	Complainant's Memorandum in Support of its Motion in Limine to Exclude some of Respondents' Witnesses and/or Limit Their Testimony to Matters Relating to the Sole Remaining Issue for Hearing - The Appropriateness of the Proposed Penalty in this Case.	Cynthia N. Kawakami
02/28/2007	Complainant's Motion in Limine to Admit Complainant's Exhibits Into Evidence.	Cynthia N. Kawakami
02/28/2007	Complainant's Motion for Ruling on Penalty	Cynthia N. Kawakami
02/28/2007	Complainant's Motion to Supplement Prehearing Exchange.	Mary T. McAuliffe
02/28/2007	Complainant's Fourth Supplemental Prehearing Exchange.	Mary T. McAuliffe
02/28/2007	Unredacted Supplemental Declaration of Gail B. Coad. Note: CBI	Mary T. McAuliffe
02/28/2007	Respondents' Joint Motion to Require Attendance of Witnesses at Hearing by Subpoena	Mary T. McAuliffe, for Complainant
02/28/2007	Respondents' Joint Motion for Protective Order Preventing Disclosure of Rocky Well Service, Inc. Confidential Business Information in Relation to Hearing and Appeal attached w/unsigned Protective Order Preventing Disclosure of Rocky Well Service, Inc. Confidential Business Information in Relation to Hearing and Appeal.	Mary T. McAuliffe, for Complainant
02/28/2007	Respondents' Joint Motion for Leave to File Second Addendum to Respondents' August 28, 2006, Joint Supplemental Prehearing Information Exchange and Second Addendum to Respondents' August 28, 2006, Joint Supplemental Prehearing Information Exchange.	Felipe N. Gomez, for Respondent
03/05/2007	Order Regarding Evidence on Ability to Pay and Scheduling of Prehearing Conference.	Marcy A. Toney, RJO
03/08/2007	Order Regarding Continuation of Prehearing Conference.	Marcy A. Toney, RJO
03/22/2007	Notice of Hearing Location	Marcy A. Toney, RJO
03/28/2007	Order Regarding Continuation of Prehearing Conference.	Sonja Brooks-Woodard, RHC
04/05/2007	Order Regarding Continuation of Prehearing Conference. The PHC is scheduled to continue on Monday, April 9, 2007 at 3:00 p.m. Counsel should participate by calling (866) 299-3188 (Conf. code: 312-886-6771).	Marcy A. Toney, RJO
04/10/2007	Order Granting Respondents' Joint Motion to Require Attendance of Witnesses at Hearing by Subpoena attached w/Subpoenas.	Marcy A. Toney, RJO
04/11/2007	Written Testimony and Affidavit of Lisa R. Perenchio	Marcy A. Toney, RJO
04/16/2007	Complainant's 5th Supplement Prehearing Exchange & Complainant's Motion to Supplemental Prehearing Exchange.	Lisa Perenchio, for Complainant
04/19/2007	Certificate of Filing and Service of Respondents' Final Supplemental Joint Prehearing Exchange and Respondents' Final Set of Supplements to January 23, 2006, Joint Initial Prehearing Information Exchange Pursuant to 40 C.F.R. Part 22.19. (Note: 4 folders of exhibits).	Mary T. McAuliffe
04/19/2007	Supplements to January 23, 2006, Joint Initial Prehearing Information Exchange Pursuant to 40 C.F.R. Part 22.19. (Note: 4 folders of exhibits).	Felipe N. Gomez, for Respondent
04/25/2007	Confirmation letter to Clerk, Louis E. Costa with the 5th District Appellate Court re: use of second floor courtroom and other misc. arrangements discussed Tuesday, April 17, 2007	Marcy A. Toney, RJO
05/08/2007	April 24, 2007 Hearing Transcript Received.	Sullivan Reporting Co., Court Repo Video Conferencing.
05/09/2007	April 25, 2007 Hearing Transcript Received.	Sullivan Reporting Co., Court Repo Video Conferencing.
05/17/2007	April 26, 2007 Hearing Transcript Received.	Sullivan Reporting Co., Court Repo Video Conferencing.
05/17/2007	Certificate of Service of April 24-26, 2007 Hearing Transcripts.	Sonja Brooks-Woodard, RHC

Regional Hearing Clerk Tracking System

Index Record as of Tuesday, August 5, 2008.

Date Filed	Document Title	Submitter
05/22/2007	Order Scheduling Conference Call. A telephone conference call is scheduled for Thursday, May 31, 2007 at 2 p.m.	Marcy A. Toney, RJO
06/04/2007	Scheduling Order	Marcy A. Toney, RJO
06/14/2007	Exhibits from March 24-26, 2007 Hearing. (5 folders)	Sullivan Court Reporting Co.
06/18/2007	Complainant's Motion To Conform the Transcript to the Actual Testimony.	Cynthia N. Kawakami
06/18/2007	Respondents' Joint Motion to Conform Transcript to Testimony.	Felipe N. Gomez
06/21/2007	Audios of April 24-30, 2007 Hearing Received.	Sullivan Court Reporting Co.
06/26/2007	Order Scheduling Telephone Conference for Thursday, June 28, 2007 @ 10:00 a.m.	Marcy A. Toney, RJO
07/03/2007	Complainant's Response to Respondent's Motion to Conform the Hearing Transcript to the Actual Testimony.	Cynthia N. Kawakami
07/03/2007	Record of Conference Call	Marcy A. Toney, RJO
07/05/2007	Record of Conference Call.	Felipe N. Gomez
07/09/2007	Respondents' Joint Motion to Modify Briefing Schedule to Allow Time to Conform Transcript to Testimony and to Allow 40 C.F.R. 22.6	Marcy A. Toney, RJO
07/09/2007	Reply to EPA Response to Respondents' 40 C.F.R. 22.25 Motion.	Felipe N. Gomez
07/12/2007	Order Scheduling Telephone Conference for Wed., July 11, 2007 @ 10 a.m.	Marcy A. Toney, RJO
07/12/2007	Respondents' Response and Objections to Complainant's Motion to Conform Transcript to Testimony.	Kathleen Evans
07/17/2007	Record of Conference Call and Order	
08/22/2007	Letter of Explanation from Sullivan Reporting Co. regarding release of unproofed/read transcript and notice when edited version will be certified and distributed to all parties which will be by no later than July 23, 2007.	Felipe N. Gomez, for Resp.
	Joint Status Report for Respondents E. J. Klockenkemper and Rocky Well Service, Inc., Regarding Respondents' Prior Motion to Conform June 18, 2007, Transcript and Notifying of Intent to File Revised Motion to Conform Revised July 20, 2007, Transcript to Testimony	
	Complainant's Status Report	Cynthia N. Kawakami
08/24/2007	Respondents' Joint Motion to Conform Transcript to Testimony and for Court Order to Sullivan's Reporting to Release Microcassettes of April 26, 2007, Hearing.	Felipe Gomez
08/27/2007	Order.	Marcy A. Toney, RJO
09/07/2007	Complainant's Revised Response to Respondents' (Revised) Joint Motion to Conform Transcript Testimony.	Cynthia N. Kawakami
09/07/2007	Notice of Change of Mailing Address	Felipe N. Gomez, for Respondents
09/07/2007	Respondents' Response and Objections to Complainant's "Status Report" of August 22, 2007, and Attachment A Thereto.	Felipe N. Gomez
09/10/2007	Respondents' Emergency Motion for Extension of Time to September 17, 2007, to file Reply to EPA September 7, 2007, Response to Respondents' August 24, 2007, Joint Motion to Conform.	Felipe N. Gomez, for Respondents
09/11/2007	Order Granting Motion for Extension of Time.	Marcy A. Toney, RJO
09/17/2007	Respondents' Reply to EPA September 7, 2007, Response to Respondents' August 24, 2007, Joint Motion to Conform.	Felipe N. Gomez
09/17/2007	Complainant's Reply to Respondents' Response and Objections to Complainant's "Status Report" of August 22, 2007, and Attachment thereto.	Cynthia N. Kawakami
10/02/2007	Order on Motions to Conform.	Marcy A. Toney, RJO
10/22/2007	Scheduling Order.	Marcy A. Toney, RJO
10/30/2007	Joint Notice of Standing Objections to April 26, 2007, Hearing and Conformaton Process, Including to October 2, 2007, Order of Presiding Officer Granting All But 2 of EPA's Requested Conformations to Transcripts and Denying Majority of Respondents' Requested Conformations.	Felipe N. Gomez, for Respondents
10/30/2007	Parties' Joint Notice of Filing of Corrected Transcript for Testimony Heard on April 24-26, 2007.	
11/01/2007	Order Regarding Format for Briefs	Cynthia N. Kawakami for Compl. & Gomez, for Resps'
11/01/2007	Certificate of Service of Parties' Joint Notice of Filing of Corrected Transcript.	Marcy A. Toney, RJO
11/14/2007	Order Granting Respondents' Motion for Extension of Time to File Pleadings.	Cynthia N. Kawakami, for Complain
11/27/2007	Order Scheduling Telephone Conference.	Marcy A. Toney, RJO
11/29/2007	Revised Order Regarding Format for Briefs	Marcy A. Toney, RJO
11/30/2007	Faxed Respondents' Notice of Objection to Suspend Briefing Schedule to Allow Time for Consideration and Filing of 40 CFR Part 22.19	Marcy A. Toney, RJO
	Appeal Request or to Allow Time to Clarify and Comply with Revised Order. Original Received: December 3, 2007	Felipe N. Gomez, for Respondents

Date Filed	Document Title	Submitter
12/03/2007	Emergency Motion to Suspend Briefing Schedule to Allow Time for Filing of 40 CFR Part 22.29 Appeal Request as to November 29, 2007. Revised Order Regarding Format for Briefs.	Felipe Gomez, for Respondents
12/03/2007	Unsigned Post-Hearing Brief of the United States Environmental Protection Agency attached w/Proposed Findings of Fact, Proposed Conclusions of Law and Proposed Order.	Cynthia N. Kawakami
12/05/2007	Respondents' Motion to Treat Respondents' 12/03/07 "Emergency Motion to Allow Time for Filing of 40 CFR Part 22.29 Appeal" as to November 29, 2007, "Revised Order Regarding Format for Briefs" as a 40 CFR 22.16 Motion to Reconsider November 29, 2007 "Revised Order Regarding Format for Briefs" and Motion to Conference to Discuss Resolution to Objections to Impact of Order and Amended Emergency Motion Amending 12/03/07 Emergency Motion to Request Reconsideration and Resetting of Briefing Schedule as to November 29, 2007, Revised Order Regarding Format for Briefs.	Felipe Gomez, for Respondents
12/05/2007	Signed last page to Post Hearing Brief submitted December 3, 2007.	Mary T. McAuliffe for Cynthia N. Ka
12/11/2007	Complainant's Response to Respondents' Amended Emergency Motion, Amending 12/03/07 Emergency Motion.	Felipe N. Gomez, for Respondents
12/11/2007	Status Report on Availability of Respondent Klockenkemper's Counsel for Conference.	Marcy A. Toney, RJO
12/13/2007	Record of Conference Call and Order.	Mary T. McAuliffe, for Complainant
12/17/2007	Notice of Filing of Joint Stipulations; Joint Stipulations and Certificate of Services..	Richard J. Day
12/20/2007	Respondent Rocky Well Service Inc.'s Proposed Findings of Facts, Conclusions of Law & Proposed Order.	Felipe N. Gomez
12/27/2007	Respondents' Proposed Findings of Fact and Conclusions of Law, and Brief in Support.	Felipe N. Gomez, for Respondents
01/18/2008	Faxed Transmittal. Errata -- Respondents' Proposed Findings of Fact and Conclusions of Law, and Brief in Support: Page Number Reference Errors in Brief and Table of Contents/Section References Correct. Original Rec'd: January 28, 2008.	Cynthia N. Kawakami
01/22/2008	Complainant's Response to Respondents, Rocky Well Service, Inc.'s and Edward J. Klockenkemper's Brief in Support of Proposed Findings of Fact and Conclusions of Law.	Felipe N. Gomez
01/22/2008	Respondents Edward J. Klockenkemper's and Rocky Well Service, Inc., Response to EPA Brief in Support of EPA's Proposed Findings of Facts and Conclusions of Law.	Felipe N. Gomez
02/04/2008	Respondents' Motion for Leave to File Reply, Instantier, To EPA 1/22/08 Response to Respondents' Brief in Support and Respondents Edward J. Klockenkemper's and Rocky Well Service, Inc., Reply, Instantier, to January 2, 2008, EPA Response, to Respondents' Brief in Support of Proposed Findings of Facts and Conclusions of Law.	Marcy A. Toney, RJO
02/06/2008	Order: Respondent's "Motion for Leave to File Reply, Instantier, to EPA 1/22/08 Response to Respondents' Brief in Support," filed February 4, 2008, is hereby Granted. If it chooses to also file a reply, Complainant shall have fifteen days, to and including February 21, 2008, to do so.	Cynthia N. Kawakami
02/21/2008	Complainant's Reply to Respondents, Rocky Well Service, Inc.'s and Edward J. Klockenkemper's Reply, Instantier, to U.S. EPA's Response to Respondents' Post-Hearing Brief.	Marcy A. Toney, RJO
07/23/2008	Initial Decision	Felipe N. Gomez, for Respondent
07/30/2008	Notice of Appeal	Felipe N. Gomez, for Respondent
07/30/2008	Notice of Appearance	Richard J. Day, for Respondent
07/30/2008	Notice of Appearance	Richard J. Day, for Respondent
07/30/2008	Notice of Appeal	Tywanna Greene, RS Hearing Clerk
08/05/2008	Transmittal Letter forwarding Complete Record Index and Record the Entire Records filed listed on Record Index to the Environmental Appeals Board by FedEx#:	