



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:
SHABBIR SHAIKH, and ALISHAN, INC., t/a Royal Service Center Respondents.
Docket No. RCRA-03-2007-0279

ORDER GRANTING JOINT MOTION TO WITHDRAW COMPLAINT

This matter was initiated on September 4, 2007 and on November 29, 2007, Respondents filed their Answer. On September 4, 2008, a Consent Agreement and Final Order was filed memorializing the settlement of this matter between Complainant and one of the two Respondents, Alishan, Inc., t/a Royal Service Center. By Motion dated September 15, 2008, the Complainant and the remaining Respondent, Shabbir Shaikh, move to withdraw the Complaint in its entirety, without prejudice. The reason given therefor is that it is in their "mutual best interest" to do so based upon information exchanged during settlement.

Rule 22.14(d) of the Consolidated Rules of Practice provides as follows:

(d) Withdrawal of the complaint. . . after the filing of an answer, the complainant may withdraw the complaint, or any part thereof, without prejudice only upon motion granted by the Presiding Officer.

40 C.F.R. § 22.14(d).

For the reasons set forth therein, the Joint Motion to Withdraw Complaint is hereby GRANTED and the Complaint is hereby withdrawn without prejudice. Each party shall bear its attorneys fees and costs.

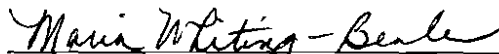
[Handwritten signature of Susan L. Biro]
Susan L. Biro
Chief Administrative Law Judge

Dated: September 16, 2008
Washington, D.C.

In the Matter of Shabbir Shaikh and Alishan, Inc., t/a Royal Service Center, Respondents  
Docket No. RCRA-03-2008-0354

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Joint Motion To Withdraw Complaint**, dated September 16, 2008, was sent this day in the following manner to the addressees listed below.

  
\_\_\_\_\_  
Maria Whiting-Beale  
Staff Assistant

Dated: September 16, 2008

Original And One Copy By Pouch Mail To:

Lydia A. Guy  
Regional Hearing Clerk (3RC00)  
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Philadelphia, PA 19103-2029

Copy Pouch Mail To:

Jeffrey S. Nast, Esquire  
Assistant Regional Counsel (3RC30)  
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