

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY



BEFORE THE ADMINISTRATOR

IN THE MATTER OF )  
 )  
Chilkoot Lumber Company, Inc., ) Docket No. TSCA-10-2010-0253  
and Mr. L. Edward Lapeyri, )  
 )  
Respondents )  
 )  
\_\_\_\_\_ )

ORDER GRANTING MOTIONS TO ADJUST  
PREHEARING EXCHANGE SCHEDULE


On December 15, 2010, the undersigned issued a Prehearing Order ("PHO") setting forth certain deadlines for the Prehearing Exchange ("PHE") pursuant to Section 22.19(a) of the Rules of Practice, 40 C.F.R. § 22.19(a). Under the PHO, Complainant's initial PHE was due on February 25, 2011, and was timely received. Respondents' PHE was due on March 25, 2011. Complainant's Rebuttal PHE was scheduled to be due on April 8, 2011.

On April 6, 2011, Respondents, through substitute counsel, submitted a Motion to Enlarge Time to File Prehearing Exchange ("Respondents' Motion") seeking leave to file their PHE by Monday, April 11, 2011. Respondents' Motion states that counsel of record, Mr. Fred Triem, "has been burdened with other urgent legal matters . . . and then suffered a period of time away from his office on sick leave." Respondents' Motion at 1.

On April 7, 2011, Complainant filed a Motion for Extension to File Prehearing Exchange Rebuttal ("Complainant's Motion") requesting that the deadline for its Rebuttal PHE be extended to fourteen days after the date on which Respondents' file their PHE given that Respondents' have requested leave to file after the deadline for Complainant's Rebuttal PHE. Complainant's Motion at 2.

By email on April 6, 2011, each party stated to the undersigned's staff attorney that neither would oppose the other's motion. For good cause shown, these unopposed Motions are **GRANTED**. The PHO is amended as follows:

Respondents' PHE will now be due on or before April 11, 2011. Complainant's Rebuttal PHE will be due two weeks after the Regional Hearing Clerk receives and files the Respondents' PHE.

  
\_\_\_\_\_  
Barbara A. Gunning  
Administrative Law Judge

Dated: April 8, 2011  
Washington, DC

**In the Matter of Chilkoot Lumber Company, Inc., and Mr. L. Edward Lapeyri, Respondents.  
Docket No. TSCA-02-2010-0253**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Motions to Adjust Prehearing Exchange Schedule**, dated April 8, 2011, was sent this day in the following manner to the addressees listed below.



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Legal Staff Assistant

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Dated: April 8, 2011  
Washington, DC