

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
PARAMOUNT ENVIRONMENTAL) DOCKET NO. CAA-III-073
ASSOCIATES, INC. & AQUA-CHEM)
INC. ,)
)
)
RESPONDENTS)

ORDER ON MOTION BY COUNSEL FOR RESPONDENT PARAMOUNT ENVIRONMENTAL ASSOCIATES, INC. FOR LEAVE TO WITHDRAW

Counsel for Respondent Paramount Environmental Associates, Inc. ("Respondent Paramount") has filed a motion for leave to withdraw as counsel of record. ⁽¹⁾ In support of this motion, counsel has submitted a memorandum, and his own affidavit which states that Respondent Paramount had instructed its counsel on or about April 11, 1997, to take no further action on its behalf in this matter and that beginning on June 3, 1997, counsel notified Respondent Paramount that if payment was not forthcoming, it would be forced to cease its representation in this case.

The file before me reflects that on February 26, 1997, the undersigned entered a Prehearing Order directing the parties to file their prehearing exchange. The Complainant timely filed its prehearing exchange. The Respondents failed to file their prehearing exchange. On July 1, 1997, the undersigned issued an Order To Show Cause to the Respondents ordering them to show cause, if any, why they had failed to meet the June 20, 1997, deadline for filing their prehearing exchange and why a default order should not be entered for failing to meet this deadline. To date, no response has been filed by either Respondent.

In view of the pending Prehearing Order and Order To Show Cause, counsel's motion to withdraw as counsel of record for Respondent

Paramount is granted subject to counsel certifying that he has provided Respondent Paramount with adequate notice of the pending Prehearing Order and Order To Show Cause. The Respondents are advised that the granting of this motion does not disturb the requirement for meeting the July 25, 1997, deadline for filing their responses to the Order To Show Cause. See Matter of Turner Copter Services, Inc., FIFRA Appeal No. 85-4 (CJO, Nov. 5, 1985).

original signed by undersigned

Barbara A. Gunning

Administrative Law Judge

Dated: July 23, 1997

Washington, DC

1. David R. Beane, Esquire, and Stevens & Lee had previously entered an appearance as counsel for Respondent Paramount in this matter.