



**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

**In the Matter of:** )  
 )  
**McNamara Realty,** ) **Docket No. TSCA-09-2018-0007**  
 )  
**Respondent.** )

**ORDER ON MOTION FOR EXTENSION OF TIME**

On November 27, 2018, the Agency requested permission to amend its Complaint. *See* Motion Seeking Leave to File Amended Complaint. I granted the Agency’s request, and on November 30, 2018, the Agency filed its First Amended Complaint. *See* Order on Complainant’s Motion Seeking Leave to File Amended Complaint (Nov. 29, 2018); First Amended Complaint and Notice of Opportunity for Hearing.

Now that it has filed an Amended Complaint, the Agency seeks an extension of the prehearing exchange deadlines set forth in the Prehearing Order issued November 1, 2018. *See* Motion for Extension of Time and Revision of Prehearing Exchange Schedule (Nov. 30, 2018) (“Motion”). The Agency contends the prehearing exchange schedule must be “revised to take into account the resetting of the clock incurred by the filing of the First Amended Complaint and the eventual filing of the Amended Answer, and to provide sufficient time to Complainant to prepare Complainant’s Initial Prehearing Exchange once it has received the Amended Answer.” Mot. at 2. Not allowing the extension would create “unnecessary complexity and obfuscation” as the parties prepare their prehearing exchanges, the Agency argues. The Agency asks that the deadlines be extended up to 30 days.

Respondent has not submitted a response to the Agency’s Motion, but no response is necessary.

This Tribunal “may grant an extension of time for filing any document: upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties[.]” 40 C.F.R. § 22.7(b). In this case, the Agency has timely filed its motion and shown sufficient good cause to extend the prehearing exchange deadlines. This extension will not prejudice Respondent, who benefits equally.

Accordingly, the Agency's Motion is **GRANTED**. The prehearing exchanges called for in the Prehearing Order shall be filed pursuant to the following revised schedule:

|                          |  |
|--------------------------|--|
| <b>January 11, 2019</b>  | Complainant's Initial Prehearing Exchange  |
| <b>February 8, 2019</b>  | Respondent's Prehearing Exchange           |
| <b>February 22, 2019</b> | Complainant's Rebuttal Prehearing Exchange |

**SO ORDERED.**

*Christine Donelian Coughlin*

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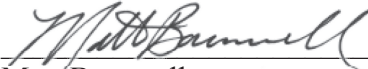
Christine Donelian Coughlin  
Administrative Law Judge

Dated: December 4, 2018  
Washington, D.C.

In the Matter of *McNamara Realty*, Respondent.  
Docket No. TSCA-09-2018-0007

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Order on Motion for Extension of Time**, dated December 4, 2018, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.

  
\_\_\_\_\_  
Matt Barnwell  
Attorney-Advisor

Original by Personal Delivery to:

Mary Angeles, Headquarters Hearing Clerk  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Ronald Reagan Building, Room M1200  
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Dated: December 4, 2018  
Washington, D.C.