

**From:** [ADAMAS CONSTRUCTION And DEVELOPMENT SERVICES PLLC](#)  
**To:** [HertzWu, Sara](#)  
**Cc:** [Christopher Gallus](#); [Huston, Liz](#); [Moreno, Sarah](#); [Kleffner, Erin](#)  
**Subject:** Re: Respondents' Prehearing Exchange  
**Date:** Tuesday, February 04, 2020 3:20:35 PM

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Hi,

Sara the failure was on my part as I misunderstood what chris had told me.

I was completely my fault completely as he asked me to send these items and mistook him for saying he was going to send them.

Chris has been dealing with health issue and requested more involvement from me to assist him.

We will get you all exchange information and we don't object to an extension of time.

Apologizes,

Nathan Pierce

On Tue, Feb 4, 2020, 2:13 PM HertzWu, Sara <[HertzWu.Sara@epa.gov](mailto:HertzWu.Sara@epa.gov)> wrote:

Chris: We only became aware today, after contacting the court, that Respondents filed an Initial Prehearing Exchange on January 27, 2020. We were not properly served by either email or regular mail, and we notified the court of this failure to serve. The Court did not realize you had not served us, since you attached a certificate of service that included your electronic signature that you did serve EPA.

We request that you send a copy of the exhibits you filed with the Court immediately. We will also be requesting an extension of time to file our rebuttal prehearing exchange. We plan to ask for 2 additional weeks to respond. We assume you will not object since we were not properly served and still do not have the exhibits.

Regards,

Sara Hertz Wu

Senior Counsel

EPA Region VII

11201 Renner Boulevard

Lenexa, Kansas 66219

Phone: (913)551-7316

Email: [hertzwu.sara@epa.gov](mailto:hertzwu.sara@epa.gov)

**From:** [Christopher Gallus](#)  
**To:** [HertzWu, Sara](#)  
**Cc:** [ADAMAS CONSTRUCTION And DEVELOPMENT SERVICES PLLC](#); [Huston, Liz](#); [Kleffner, Erin](#); [Moreno, Sarah](#)  
**Subject:** Re: Respondents' Prehearing Exchange  
**Date:** Tuesday, February 04, 2020 4:44:37 PM

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Sara,

You are correct and we agree to the extension. I was unaware that we failed to follow up on the service. Nathan has paralegal training and is assisting in this regard, so please include him in any communications, but the signature, responsibility and error is mine; for which you have my apologies.

Please let me know if this not go out promptly and more time is needed, but I suspect you've requested what you require.

Chris

On Tue, Feb 4, 2020 at 2:13 PM HertzWu, Sara <[HertzWu.Sara@epa.gov](mailto:HertzWu.Sara@epa.gov)> wrote:

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