

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

Tony L. Brown and )  
Joshua A. Brown ) Docket No. CWA-07-2016-0053  
d/b/a Riverview Cattle )  
Armstrong, Iowa )  
Respondents ) COMPLAINANT'S  
 ) UNOPPOSED MOTION FOR CONTINUANCE  
 ) OF DATE FOR HEARING  
 )  
\_\_\_\_\_ )

On May 31, 2018, counsel for Complainant was informed of the unexpected potential unavailability of a listed key expert witness for the upcoming hearing in this matter, due to the medical condition of a family member of the witness who resides out of the country. On June 4, 2018, this witness confirmed to counsel for Complainant that he would be out of the country for a minimum of six weeks and would not be available to testify at the hearing that is currently scheduled to begin on June 18, 2018, in Des Moines, Iowa.

Complainant believes that the presence of this expert witness is essential to Complainant's case and Complainant would be significantly prejudiced by having to proceed to hearing without his testimony. Based on this prejudice, Complainant hereby respectfully requests that the scheduled date for hearing be continued.

Counsel for Complainant has discussed this motion for continuance with counsel for Respondent, who has graciously agreed not to oppose the motion. If this motion for continuance is granted by the Presiding Officer, both sides have agreed to review available dates for a hearing

in the period between September and December, and to notify the Presiding Officer of proposed dates for a rescheduled hearing as soon as possible.

RESPECTFULLY SUBMITTED this 4<sup>th</sup> day of June 2018.

A handwritten signature in black ink, appearing to read 'H. Bunch', written over a horizontal line.

Howard Bunch  
Counsel for Complainant  
Sr. Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region 7

CERTIFICATE OF SERVICE

I hereby certify that on this 4<sup>h</sup> day of June, 2018, I filed via the E-filing system the original of this Motion for Continuance of Date for Hearing to the Office of Administrative Law Judges Hearing Clerk, and sent by email to Mr. Eldon McAfee, Esq, counsel for Respondents.

Eldon McAfee (counsel for Tony L. Brown and Joshua A. Brown, d/b/a Riverview Cattle)  
Brick Gentry, PC  
6701 Westown Parkway, Suite 100  
West Des Moines, IA 50266-7703

Email: Eldon McAfee <Eldon.McAfee@brickgentrylaw.com>

A handwritten signature in black ink, appearing to read 'HB' followed by a large, stylized flourish that loops back to the left.

Signature of Sender

Howard Bunch  
Sr. Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66209  
(913) 551-7879  
bunch.howard@epa.gov