

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BOULEVARD
LENEXA, KANSAS 66219
BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
EVERGREEN DEVELOPMENT, INC.) Docket No. CWA-07-2022-0134
)
AND) **RESPONDENT'S REQUEST**
) **FOR CONTINUANCE**
MARK SCHMIDT,)
)
RESPONDENTS.)

In response to the Presiding Officer's February 6, 2023 Prehearing Order, Respondent hereby files this request for continuance of the April 7, 2023 deadline for Respondent's Initial Prehearing Exchange. In support of this request, the Respondent advises the administrative law judge that the Respondent is working to provide financial information to the Complainant in an effort to determine if a compromise can be reached between the parties. Respondent further advises that attorney Shane McCoin has indicated Complainant "would not object to a request for a two week extension of the deadline to submit Respondent's Prehearing Exchange, provided that Mr. Schmidt will submit to us all the financial documentation we need to complete our analysis by the end of this week."

Respectfully submitted on this 4th day of April, 2023.

EVERGREEN DEVELOPMENT, LLC, and
MARK SCHMIDT, Respondents

By:



Jovan W. Lausterer #23081

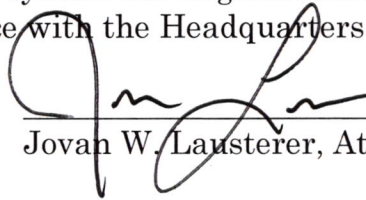
BROMM, LINDAHL, FREEMAN-
CADDY & LAUSTERER
551 North Linden
P.O. Box 277
Wahoo, NE 68066
Phone: (402) 443-3225
Fax: (402) 443-4005
jlaus@wahoolaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Request for Continuance was sent by electronic service on this day to:

EPA, Region 7:
Shane McCain, Attorney
mccoin.shane@epa.gov

and that I filed via the OALJ E-filing system the original and one copy of the Respondents' Request for Continuance with the Headquarters Hearing Clerk.



Jovan W. Lausterer, Attorney