



filled a motion to amend the complaint and the amended complaint, with the ALJ.

3. Due to illness, the holidays and work schedule of undersigned, counsel has been unable to confer with his client, and hereby requests additional time to file its Prehearing Exchange.

4. Complainant conferred with Respondents' attorney by e-mail about their motions. Respondents' counsel did respond on December 13, 2019 and requested a copy of the amended complaint for review and evaluation, in order to properly advise his client and help make an informed decision, the Complainant was informed at that time the Respondent was opposed to any motions or amendments. The Respondent again informed the Complainant on December 16, 2019 the respondent was to oppose the amended complaint and motions. The email correspondence is attached to this motion.

For the above stated reasons, the Respondent, Opposes the Complainants motion and amended complaint and respectfully request the court to deny the complainants motion and amended filing; and the Respondent respectfully request and extension of the Respondents prehearing exchange until the court has ruled on the Complainants motions at such time the Respondent will have 14 day to file and response to the amended complaint or file prehearing exchanges.

RESPECTFULLY SUBMITTED this 19<sup>th</sup> day of December 2019.

/s/ Chris J. Gallus  
Chris J. Gallus  
Attorney at Law  
1423 Otter Road  
Helena, Montana 59602  
Email: chrisjgalluslaw@gmail.com

CERTIFICATE OF SERVICE

I certify that the foregoing Complainant's Motion to Amend the Complaint, Docket No. CWA-07-2019-0262, has been submitted electronically using the OALJ E-Filing System.

A copy was sent by email and postal mail to:

Attorney for Complainant:

Sara Hertz Wu, Senior Counsel  
Elizabeth Huston, Senior Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219  
Email: [hertzwu.sara@epa.gov](mailto:hertzwu.sara@epa.gov)  
Telephone: (913) 551-7316

/s/ Chris J. Gallus

Chris J. Gallus  
Attorney at Law  
1423 Otter Road  
Helena, Montana 59602  
Email: [chrisjgalluslaw@gmail.com](mailto:chrisjgalluslaw@gmail.com)