



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

In the Matter of:)	
)	
Jackson & Son Distributors, Inc.,)	Docket No. CWA-10-2025-0023
d/b/a Jackson and Son Oil,)	
)	
Respondent.)	

**ORDER ON COMPLAINANT’S MOTION FOR STAY
OF PREHEARING EXCHANGE SCHEDULE**

On January 28, 2025, I issued a Prehearing Order setting deadlines for the parties to engage in a prehearing exchange of information in this matter. Prehr’g Order at 4. At the request of the parties, those deadlines have been extended multiple times, with the deadline for Complainant to file its Initial Prehearing Exchange currently set for September 8, 2025. Order on Complainant’s Unopposed Mot. for Additional Extension of Time at 2.

On August 15, 2025, Complainant filed a Motion for Leave to Amend the Complaint (“Motion to Amend”), proposing several amendments to the Complaint initiating this matter and indicating that Respondent objects. Motion for Leave to Amend the Complaint at 1. Then, on August 25, 2025, Complainant filed a Motion for Stay of Prehearing Exchange Schedule (“Motion for Stay”), requesting a stay of the deadlines for the parties to engage in the prehearing exchange and indicating that Respondent has no position on the request. As grounds for the Motion for Stay, Complainant explains that under the rules governing this proceeding, the time for filing response and reply briefs to its Motion to Amend will extend beyond the current deadline for it to file its Initial Prehearing Exchange. Motion for Stay at 2. Complainant then argues that “it is in the interest of justice for its Motion to Amend . . . to be resolved before the parties file prehearing exchanges.” *Id.* Indeed, Complainant maintains, if its Motion to Amend is granted, the requested stay would “allow[] the parties to understand what issues are before the Tribunal and are actually contested, and Respondent’s affirmative defenses,” before engaging in the prehearing exchange of information. *Id.* Finally, Complainant emphasizes that the requested stay is not indefinite but “time-limited,” based solely on resolution of its Motion to Amend, and that Respondent would equally benefit, such that the stay would not result in any prejudice. *Id.* at 3.

As noted by Complainant in its Motion for Stay, while the rules governing this proceeding do not expressly authorize a stay of deadlines, the rules do provide that I “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; or upon its own initiative.” 40 C.F.R. § 22.7(b). Further, the rules authorize me to “[d]o all other acts and take all measures necessary for the maintenance of order and for the efficient, fair and impartial adjudication of issues arising in proceedings governed by these Consolidated Rules of Practice.” 40 C.F.R. § 22.4(c)(10).

Here, I find that the goal of judicial economy would be well served by the requested stay of the prehearing exchange schedule pending the outcome of Complainant’s Motion to Amend. The requested stay is limited in duration, and it would conserve the resources of this Tribunal and the parties to have the benefit of a ruling on the Motion to Amend ahead of the prehearing exchange. Finally, the request was timely, and Respondent does not object to it. Accordingly, the Motion for Stay is hereby **GRANTED**. New deadlines for the parties’ prehearing exchange will be set by future order once a ruling on Complainant’s Motion to Amend has been issued.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Michael B. Wright', is written over a horizontal line.

Michael B. Wright
Chief Administrative Law Judge

Dated: August 28, 2025
Washington, D.C.

In the Matter of *Jackson & Son Distributors, Inc., d/b/a Jackson and Son Oil*, Respondent
Docket No. CWA-10-2025-0023

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Order on Complainant's Motion for Stay of Prehearing Exchange Schedule, dated August 28, 2025, and issued by Chief Administrative Law Judge Michael B. Wright, was sent this day to the following parties in the manner indicated below.

Pamela Taylor

Pamela Taylor
Paralegal Specialist

Original by OALJ E-Filing System to:

U.S. Environmental Protection Agency
Office of Administrative Law Judges
<https://yosemite.epa.gov/OA/EAB/EAB-ALJ Upload.nsf>

Copy by Electronic Mail to:

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Dated: August 28, 2025
Washington, D.C.