



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:
Barrick Cortez, Inc.
Respondent
Docket No. EPCRA-09-2011-0004
Dated: May 10, 2012

ORDER ON SECOND JOINT MOTION FOR STAY

On February 29, 2012, a Prehearing Order was issued in this proceeding, setting dates for the parties to submit a status report and prehearing exchange information. On March 12, 2012, The parties filed a Joint Motion for Stay, requesting that this matter be stayed so that the parties may engage in third-party mediation in an attempt to settle this matter. The motion was granted, and this proceeding was stayed until May 11, 2012. On May 10, 2012, the parties filed a Second Joint Motion for Stay, requesting that this matter be stayed for another 60 days. Grounds stated are that the parties have reached an agreement on certain issues and have made progress toward resolution of other issues, but need more time to continue mediation and fully resolve this matter. Attached to the Motion was a letter from the mediator, indicating that the parties have made substantial progress in the mediation.

The parties are commended for taking the initiative to engage in mediation in an effort to resolve this matter informally and expeditiously. A further stay is warranted, given the grounds stated in the Motion and the complexity of the allegations in the Complaint.

Accordingly, this proceeding is STAYED until July 10, 2012, on which date Complainant shall file a status report as to the progress of settlement. If the parties have not filed a fully executed Consent Agreement and Final Order settling this matter beforehand, Complainant shall file its prehearing exchange on or before July 20, 2012, Respondent shall file its prehearing exchange on or before August 17, 2012, and Complainant shall file a rebuttal prehearing exchange on or before August 31, 2012.

SO ORDERED.

M. Lisa Buschmann
Administrative Law Judge

**In the Matter of *Barrick Cortez, Inc.*, Respondent.
Docket No. EPCRA-09-2011-0004**

CERTIFICATE OF SERVICE

I hereby certify that true copies of this **Order on Second Joint Motion for Stay**, dated May 10, 2012, were sent to the following parties in the manner indicated:


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