



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

In the Matter of:)
)
Dr. Daniel J. McGowan,) Docket No. CWA-07-2014-0060
)
Respondent.) Dated: April 28, 2015

ORDER GRANTING MOTIONS FOR EXTENSIONS OF TIME

On April 17, 2015, Complainant filed a Motion for Accelerated Decision as to Liability and Motion to Strike Respondent's Defenses. Pursuant to the Rules of Practice ("Rules") governing this proceeding, 40 C.F.R. Part 22, Respondent must file a response "within 15 days after service of such motion" or he "waives any objection to the granting of the motion." 40 C.F.R. § 22.16(b).

On April 21, 2015, Respondent filed a Motion for Extension of Time, which requested an additional 15 days to submit his response. In support of this motion, Respondent notes that Complainant's motion and supporting materials are unusually long, and contain four previously undisclosed affidavits.

On April 27, 2015, Respondent and Complainant filed a Joint Motion for Extension of Time, which requested that I (1) grant Respondent's previous Motion for an extension; and (2) grant Complainant an extension regarding its reply to Respondent's response.

The applicable Rule regarding extensions of time provides that "the Presiding Officer 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). Moreover, 40 C.F.R. § 22.16(b) provides that "[t]he Presiding Officer . . . may set a shorter or longer time for response or reply, or make other orders concerning the disposition of motions." For good cause shown, and noting the support of both parties, Respondent's Motion for Extension and the Joint Motion for Extension are hereby **GRANTED**. Respondent shall now file his response on or before May 18, 2015, and Complainant shall file its reply by June 5, 2015.

SO ORDERED.

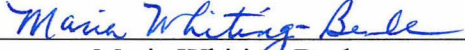
A handwritten signature in blue ink, appearing to read "Lisa Buschmann", written over a horizontal line.

M. Lisa Buschmann
Administrative Law Judge

In the Matter of Dr. Daniel J. McGowan, Respondent
Docket No. CWA-07-2014-0060

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Motions For Extensions Of Time**, dated April 28, 2015, was sent this day in the following manner to the addressees listed below:



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Staff Assistant

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Dated: April 28, 2015
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