



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

**In the Matter of:** )  
 )  
**Ro Cher Enterprises, Inc.,** ) **Docket No. TSCA-05-2023-0004**  
**d/b/a Door and Window Warehouse** )  
**Outlet, Inc.; Door and Window** )  
**Warehouse, Co.; and/or** )  
**Door and Window Superstore,** )  
 )  
**Respondent.** )

**ORDER ON RESPONDENT’S MOTION FOR EXTENSION OF TIME**

On August 24, 2023, I ordered Respondent to show cause for its failure to file an Answer to the Complaint that initiated this proceeding, and I issued a Prehearing Order setting forth various deadlines for the parties during this initial phase of litigation. *See* Order for Resp’t to Show Cause; Prehearing Order. On September 6, 2023, at Respondent’s request, I extended both parties’ deadlines by approximately 45 days so that Respondent could obtain legal counsel. *See* Order on Resp’t’s Mot. for Extension of Time. On October 19, 2023, counsel for Respondent filed their Notices of Appearance in this matter.

Now before me is Respondent’s Unopposed Motion to Extend Time to Respond to Order to Show Cause and File Answer or Otherwise Respond (Oct. 20, 2023) (“Motion”). In the Motion, Respondent’s counsel state that they “are working with Respondent to gather the information necessary to file an Answer to the Complaint, but will not be able to do so by the current deadline of October 23, 2023.” Mot. at 2. Accordingly, they ask for a 30-day extension of Respondent’s deadline to respond to the Order to Show Cause and to the other deadlines set by the Prehearing Order. Respondent’s counsel further state that they have consulted with the Agency and that the Agency does not oppose the requested extension. Mot. at 2-3.

Under the rules governing this proceeding, this Tribunal “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. I find that Respondent’s Motion states good cause for extending the deadlines and that the Agency will not be unduly prejudiced by this extension.

Accordingly, the Motion is **GRANTED**. Respondent’s deadline for responding to the Order to Show Cause is extended through **November 22, 2023**. Deadlines set forth in the Prehearing Order are extended as follows:

Settlement Conference:	<b>December 6, 2023</b>
Status Report:	<b>December 13, 2023</b>
Preliminary Statements:	<b>December 13, 2023</b>
Complainant's Initial Prehearing Exchange or CAFO:	<b>January 3, 2024</b>
Respondent's Prehearing Exchange:	<b>January 22, 2024</b>
Complainant's Rebuttal Prehearing Exchange:	<b>February 15, 2024</b>

**SO ORDERED.**



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Susan L. Biro  
Chief Administrative Law Judge

Dated: October 24, 2023  
Washington, D.C.

In the Matter of *Ro Cher Enterprises, Inc., d/b/a Door and Window Warehouse Outlet, Inc.; Door and Window Warehouse, Co.; and/or Door and Window Superstore*, Respondent.  
Docket No. TSCA-05-2023-0004

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Order on Respondent's Motion for Extension of Time**, dated October 24, 2023, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.

  
\_\_\_\_\_  
Matt Barnwell  
Attorney Advisor

Copy by OALJ E-Filing System to:  
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*Counsel for Respondent*

Dated: October 24, 2023  
Washington, D.C.