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BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Dave Erlanson, Sr., Individual) DOCKET NO.
Swan Valley, Idaho) CWA-10-2016-0109
Respondent.)) RESPONDENT'S MOTION FOR
) LEAVE TO FILE A REVISED OR
) SUPPLEMENTAL
) PREHEARING EXCHANGE

COMES NOW Respondent Dave Erlanson and moves this tribunal for leave to file a supplemental or revised version of the Respondent's Prehearing Exchange Document filed contemporaneously with this motion. Respondent makes this motion for the following reason.

Because of unforeseen difficulty in obtaining documents and contacting potential witnesses needed to adequately and completely prepare Respondent's Initial Exchange for filing as of this date, counsel for Respondent consulted with Counsel for Complainant by exchange of emails. Because counsel for Respondent has required extensions of time recently because of illness, he has been reluctant to request another extension of time although he has been working diligently on this document. Therefore, after discussing the matter with counsel for Complainant and agreeing with his suggestion, it was determined that the best course of action was to file this initial exchange as scheduled on this date and move this court for an order granting leave to revise or amend the initial disclosure as the necessary documents and information is provided. In this manner, the parties may continue to prepare for the hearing, if one is held, or such

dispositive motions as either party feels fit without delay. Complainant has authorized Respondent to represent that Complainant has no objection provided the revised or supplemental document is filed prior to the time Complainant's rebuttal is due and of course Respondent would agree to any reasonable extension of time Complainant might require if requested to do so.

Therefore, and based on the discussions with opposing counsel, Respondent is filing contemporaneously herewith his intial exchange and will as expeditiously as possible file and serve a revised or supplemental statement as such further documents and information and if all anticipated information does not come available in time, to complete the last section to the extent possible and to fill in such other information as is appropriate to other sections herein.

Respectfully submitted this 8th Day of May, 2017

/s/ _____ Mark L. Pollot
Mark L. Pollot
Counsel for Respondent, Dave Erlanson