

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

Tony L. Brown and)
Joshua A. Brown) Docket No. CWA-07-2016-0053
d/b/a Riverview Cattle)
Armstrong, Iowa)
Respondents) JOINT REPORT
) ON AVAILABILITY FOR
) HEARING
_____)

Complainant and Respondents jointly file this Report on their Availability for Hearing in response to the Presiding Officer's Order dated June 5, 2018. The June 5th Order directed the parties to file a joint report identifying one week for the rescheduled hearing between September and December 2018. After discussion, the parties have identified the week of December 17-21, 2018, as the preferred option for the required hearing. A second option would be the week of December 10-14, 2018. However, counsel for Respondents has a jury trial the week of December 3-7, 2018 which may continue into the week of December 10, 2018. If this option is preferred by the Presiding Officer, counsel for Respondents will make arrangements with his law partners on the jury trial for any conflict that may occur with the jury trial. The parties' reasoning for proposing dates in December is due to the unavailability of one of Complainant's witnesses due to paternity leave in late September through November, and the requirements of harvesting for Respondents during the months of September, October and November.

RESPECTFULLY SUBMITTED this 3rd day of July, 2018.

Howard Bunch

Howard Bunch
Counsel for Complainant
Sr. Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 7

Eldon McAfee

Eldon McAfee
Counsel for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of July, 2018, I filed via the E-filing system the original of this Joint Report on Availability for Hearing to the Office of Administrative Law Judges Hearing Clerk, and sent by email to Mr. Eldon McAfee, Esq, counsel for Respondents.

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Signature of Sender

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