

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

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In the Matter of: * Docket No. CWA-06-2012-2712
*
Paco Swain Realty, L.L.C. *
*
Respondent *

MOTION FOR EXTENSION OF DATES UNDER PREHEARING ORDER

Paco Swain Realty, L.L.C., through its undersigned counsel, respectfully requests an extension of the dates specified in the Prehearing Order herein dated April 19, 2013, and as good cause therefor states as follows:

Counsel is a registered legislative lobbyist with the State of Louisiana, the legislature of which is in session from April 8, 2013 through June 6, 2013, inclusive, during which period Counsel is obligated to attend proceedings almost daily and sometimes on extremely short notice. This commitment reduces the time available for counsel to attend to his regular law practice, including the instant matter.

Counsel has discussed this request with Tucker Henson, Attorney for Complainant, who has stated that he would not object to an extension for the reasons stated, to allow the Parties to continue to pursue substantive discussions relating to settlement of this matter. In fact, Mr. Henson stated in the Status Report dated May 15, 2013, that "Complainant believes that settlement is likely and that the Parties would benefit from additional time to engage in settlement negotiations prior to expending resources in formal litigation of this matter."

WHEREFORE, Respondent respectfully requests that the dates set in the Prehearing Order for Complainant's Initial Prehearing Exchange, Respondent's Prehearing Exchange and Complainant's Rebuttal Prehearing Exchange, respectively, be set aside and rescheduled for

dates no sooner than 30 days after the respective dates specified in the Prehearing Order dated April 19, 2013.

By Attorney:

5/23/2013
Date



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Counsel for Respondent

CERTIFICATE OF SERVICE

I certify that the foregoing Motion, dated May 23, 2013, was this day sent by UPS to:

Sybil Anderson
Headquarters Hearing Clerk
US EPA Office of ALJ
1300 Pennsylvania Avenue NW
M-1200
Washington DC 2004
(Original and Copy)

M. Lisa Buschmann
Administrative Law Judge
US EPA Office of ALJ
1300 Pennsylvania Avenue NW
M-1200
Washington DC 2004
(Copy)

In addition, a copy has been sent by regular mail and email to:

Tucker Henson (6RC-EW)
Assistant Regional Counsel
US EPA Region 6
1445 Ross Av
Dallas TX 75202-2733



Robert W. Morgan
212 N Range AV
Denham Springs LA 70726

Dated: May 23, 2013