

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

In the Matter of: § Docket No. CWA-06-2012-2710
§
Paco Swain Realty, L.L.C. §
§
Respondent. §

STATUS REPORT

COMES NOW COMPLAINANT, the Director of the Water Quality Protection Division, United States Environmental Protection Agency, Region 6, by and through its attorney, provides the following Status Report, as required by the Order Denying Complainant's Motion for Accelerated Decision issued by the Administrative Law Judge ("ALJ") on September 9, 2014.

1. Complainant and attorney, Robert W. Morgan, representing Paco Swain Realty, L.L.C. ("Respondent") (collectively, the "Parties"), participated in a settlement conference on October 3, 2014 regarding the above-captioned matter.
2. The Parties have not, at this time, made substantive progress towards reaching a settlement in this matter. Respondent continues to assert an inability to pay a penalty.
3. Complainant has retained a financial expert to consider Respondent's asserted inability to pay. The Parties discussed the financial review process during the settlement conference and believe that completion of this ability to pay analysis will substantially advance the litigation.

RESPECTFULLY SUBMITTED,

Tucker Henson
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CERTIFICATE OF SERVICE

I certify that the original of the foregoing STATUS REPORT was filed electronically with the **Headquarters Hearing Clerk** of the Office of the Administrative Law Judges (“OALJ”) via the OALJ E-Filing System, and a true and correct copy was sent to the following on this 9th day of October, 2014, via email to:

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