



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

In the Matter of:)
Detroit Renovations, LLC, and) Docket No. TSCA-HQ-2018-5006
Nicole Curtis)
Respondents.)

NOTICE OF EX PARTE RECEIPT OF ANSWER OF DEFENDANT

The undersigned has received from Respondents the attached correspondence, titled, "ANSWER OF DEFENDANT," without an accompanying certificate of service. It is unclear whether Complainant or Complainant's current counsel has been served with a copy of the correspondence.

The Consolidated Rules of Practice ("Rules") provide that "[t]he original and one copy of each document intended to be part of the record shall be filed with the Headquarters . . . Hearing Clerk, when the proceeding is before the Presiding Officer" 40 C.F.R. § 22.5(a)(1).¹ In addition, 40 C.F.R. § 22.5(a)(3) requires that a "certificate of service" be attached to each document evidencing such service. The Rules provide further that "[a]ny ex parte memorandum or other communication addressed to the . . . Presiding Officer during the pendency of this proceeding and relating to the merits thereof, by or on behalf of any party shall be regarded as argument made in the proceeding and shall be served on all other parties." 40 C.F.R. § 22.8.

The ANSWER OF DEFENDANT relates to the merits of this proceeding and is considered ex parte because there is no indication that it was properly served. Therefore, under 40 C.F.R. § 22.8, it is being served upon Complainant by its attachment to this Notice. The Tribunal additionally recognizes that Respondents' submission serves as an Answer under Rule 22.15.

Rules 22.8 provides that "[t]he other parties shall be given an opportunity to reply to such memorandum or communication." 40 C.F.R. § 22.8. A prehearing order is being entered concurrently with this Notice. Complainant will have an opportunity to reply to Respondents through its prehearing exchange of information.

[Signature]
Susan L. Biro
Chief Administrative Law Judge

Dated: February 19, 2019
Washington, D.C.

¹ Pursuant to the Standing Order Authorizing Electronic Filing in Proceedings Before the Office of Administration Law Judges, available on the OALJ website at www.epa.gov/alj, documents filed electronically are deemed to constitute both the original and one copy of the document.

In the Matter of *Detroit Renovations, LLC, and Nicole Curtis* Respondents.
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Notice of Ex Parte Receipt of ANSWER OF DEFENDANT**, dated February 19, 2019, and issued by Chief Administrative Law Judge Susan L. Biro, and the **ANSWER OF DEFENDANT** were sent this day to the following parties in the manner indicated below.



Michael B. Wright
Attorney Advisor

Original and One Copy by Personal Delivery to:

Mary Angeles, Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
1300 Pennsylvania Ave., NW
Washington, DC 20004

Copy by Electronic Mail to:

Amos Presler, Attorney Advisor
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W. (Mail Code 2249A)
Email: presler.amos@epa.gov
For Complainant

Raymond C. Bosch, Attorney Advisor
United States Environmental Protection Agency
Region 7
11201 Renner Boulevard
Lenexa, Kansas 66219
Email: bosch.raymond@epa.gov
For Complainant

Copy by Electronic and Regular Mail to:

Nicole Curtis
12409 Laurel Terrace Dr.
Studio City, CA 91604
assistant@nicolecurtis.com, detroitdesign@yahoo.com

Nicole Curtis, Registered Agent
Detroit Renovations, LLC
1350 Lagoon Avenue, Suite 900
Minneapolis, MN 55408
assistant@nicolecurtis.com, detroitdesign@yahoo.com

For Respondents

Dated: February 19, 2019
Washington, D.C.

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
 Detroit Renovations, LLC, and) **Docket No. TSCA-HQ-2018-5006**
 Nicole Curtis)
)
 Respondents.)

ANSWER OF DEFENDANT

Comes now, the Defendant, *Nicole Curtis and Detroit Renovations, LLC*, who answers the complaint of plaintiff, United States Environmental Protection Agency, would respectfully allege and state as follows:

1. Any allegation in Plaintiff Complaint not specifically admitted, modified, or otherwise denied is expressly denied.
2. Defendant, having extensive knowledge of the construction business and, coupled with the self-awareness of the Defendant's status as a public figure, has taken exhaustive and proper steps to ensure no wrong-doing *on-site* at any property owned by Defendant. This includes, but is not limited to:
 - a. Filing all lead-permits and passing all inspections.
 - b. Obtaining all lead release documents from the city stating that lead practices were followed properly and found to have no lead hazards (twice tested).
3. Defendant has no record of any EPA representative on-site at any time during any renovation on a property owned by Defendant.
4. Alleged wrongdoing filed by Plaintiff is strictly based on a television series that is produced for entertainment purposes only.


Detroit Renovations

Signature of Respondent

January 2, 2019

Date