

**BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III**

In the Matter of)	
)	
Aylin, Inc.,)	U.S. EPA DOCKET NO.: RCRA 03-2013-0039
Rt. 58 Food Mart, Inc.,)	
Franklin Eagle Mart Corp.,)	
Adnan Kiriscioglu,)	
5703 Holland Road Realty Corp.,)	
8917 South Quay Road Realty)	
Corp., and)	
1397 Carrsville Highway Realty)	
Corp.,)	
)	
RESPONDENTS.)	
)	
Proceeding under Section 9006)	
of the Resource Conservation and)	
Recovery Act, as amended,)	
42 U.S.C. Section 6991e)	

**RESPONDENT ADNAN KIRISCIOGLU'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO RESPOND TO COMPLAINANT'S MOTION FOR
DISCOVERY**

Respondent Adnan Kiriscioglu, by and through his undersigned attorney, moves this Court for an extension of time, until October 1, 2015, in which to file his responses to Complainant's Motion for Discovery. Good cause exists for the extension, as set forth in the following Declaration of Jeffrey L. Leiter. This Motion is made in good faith and not merely for purposes of delay. Complainant does not oppose this Motion.

Jeffrey L. Leiter

Dated: September 14, 2015

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Counsel to Aylin, Inc., Rt. 58 Food Mart,
Inc., Franklin Eagle Mart Corp., Adnan
Kirisicioglu, 5703 Holland Road Realty
Corp., 8917 South Quay Road Realty Corp.,
and 1397 Carrsville Highway Realty Corp.

CERTIFICATE OF SERVICE

I hereby certify that Respondent Adnan Kiriscioglu's Unopposed Motion for Extention of Time to Respond to Complainant's Motion for Discovery in EPA Docket No. RCRA 03-2013-0039 (The "Answer") was transmitted via electronic mail and overnight courier service to the following addressees:

Regional Hearing Clerk (3RC00)
US EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Janet E. Sharke, Esq. (3RC50)
Senior Assistant Regional Counsel
US EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Dated: September 14, 2015



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**DECLARATION OF JEFFREY L. LEITER IN SUPPORT OF RESPONDENT
ADNAN KIRISCIOGLU'S MOTION FOR AN EXTENSION OF TIME**

I, Jeffrey L. Leiter, declare:

1. I am counsel of record for the Respondents. Since January 1, 2014, I have been in a solo law practice. In accordance with local bar rules, my former law partner has allowed me to continue to operate under the firm name of Leiter & Cramer PLLC until later this year. I am in active discussions to merge my practice with another law firm.

2. Respondent Adnan Kiriscioglu is seeking a brief extension of time, until October 1, 2015, within which to file his responses to Complainant's Motion for Discovery.

3. The grounds for this extension are as follows:

a. Complainant's Motion for Discovery requests Mr. Kiriscioglu's detailed interrogatory responses, along with documents, to 15 questions, most of which contain three to five subparts. Complainant seeks Mr. Kiriscioglu's interrogatory responses for a nearly seven-year period, beginning in 2008. Preparation of Mr. Kiriscioglu's responses is a significant undertaking.

b. The 30-day period prescribed by the Court for Mr. Kiriscioglu to prepare his interrogatory responses presented, and will continue to present, substantial conflicts for me as Respondents' counsel.

c. I was not able to assist Mr. Kiriscioglu and complete the preparation of his interrogatory responses in the allotted time because of other unavoidable work-related commitments during the relevant time period, including the

following:

i. From August 13, 2015, through August 19, 2015, I attended a trade association client's fall meeting in Pittsburgh, Pennsylvania. A principal reason for my attending a trade association client's convention is to act as antitrust counsel. This particular trade association client's convention included all-day meetings on Saturday, August 15; Monday, August 17; and, Tuesday, August 18. The group had half-day meetings on Sunday, August 16 and Wednesday, August 19. I returned to Washington, D.C. late in the afternoon on August 19, 2015.

ii. From August 20, 2015, through August 26, 2015, I attended another trade association client's executive committee and budget meetings in Naples, Florida. Most meetings each day ran from 8:30 a.m. to 4:00 p.m. There was a half-day meeting on Saturday, August 22. I returned home in the early evening on August 26.

iii. I am assisting another trade association client in the preparation of an *amicus curiae* brief to the Massachusetts Supreme Court. The brief is due to the Court on September 21.

iv. During the week of September 7, 2015, through September 11, 2015, I had four client meetings out of the office that consumed large blocks of my time.

v. I am attending and speaking at a trade association convention in Annapolis, Maryland on September 17, 2015.

vii. I will be attending and serving as antitrust counsel at an international conference one of my trade association clients is sponsoring in the Chicago area on September 27-30, 2015.

d. In addition to my work-related obligations, I was away from the office on previously-scheduled personal and family matters from August 31, 2015, through September 6, 2015.

e. On behalf of the Respondents, and despite the foregoing conflicts, I timely filed their Answer to Complainant's First Amended Complaint.

e. To meet my obligations in this case and matters for other clients, I have engaged a full-time contract attorney. But even with such assistance, I will not be reasonably able to complete the work necessary to finalize Mr. Kiriscioglu's interrogatory responses until October 1, 2015.

f. I have exercised, and will continue to exercise, diligence regarding this case.

g. I had a telephone conference with Complainant's counsel on September 9, 2015. Ms. Sharke indicated that Complainant does not oppose this request.

h. Pursuant to the Court's Order, the parties have scheduled an in-person conference for September 21, 2015, which could obviate the need for Mr. Kiriscioglu's interrogatory responses.

I declare under penalty of perjury that the foregoing is true and correct. Date this 14th day of September 2015, at Washington, D.C.



Jeffrey L. Leiter