



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
MATTHEW BUPP, AND)
d/b/a LENDERS GROUP MORTGAGE) DOCKET NO. CAA-03-2008-0179
COMPANY, LENDER GROUP AND)
L&S RECYCLING INC.,)
)
RESPONDENTS)

ORDER GRANTING RESPONDENT'S ATTORNEY HAWS'
REQUEST TO WITHDRAW FROM REPRESENTATION OF RESPONDENT

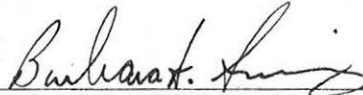
On August 14, 2009, Attorney Charles Haws submitted a request that he and his firm, Barley Snyder, LLC, be permitted to withdraw from representation of Respondent Matt Bupp, d/b/a Lenders Group Mortgage Company and Lender Group. In support of this request, Attorney Haws states that Respondent has been unable or unwilling to cooperate and communicate with counsel regarding this matter. Additionally, Attorney Haws states that Respondent has failed to provide payment.

While the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (the "Rules of Practice"), 40 C.F.R. §§ 22.1-32, grant the Administrative Law Judge ("ALJ") authority to take all measures necessary for the maintenance of order and for the efficient, fair and impartial adjudication of issues arising in the proceedings, the Rules of Practice do not specifically address the withdrawal of counsel. 40 C.F.R. § 22.4(c). The Rules of Practice do provide that counsel must conform to the standards of conduct and ethics required of practitioners before the courts of the United States. 40 C.F.R. § 22.10.

For good cause shown, Respondent's Attorney Haws' Request to Withdraw is Granted, subject to counsel certifying that he has

notified Respondent Bupp of his withdrawal and that he has provided Respondent with a copy of the Prehearing Order.^{1/}

Respondent is advised that the granting of this motion does not disturb the requirement for meeting the October 16, 2009 deadline for filing its prehearing exchange. See *Matter of Turner Copter Services, Inc.*, FIFRA Appeal No. 85-4, 2 E.A.D. 96 (CJO, Nov. 5, 1985).



Barbara A. Gunning
Administrative Law Judge

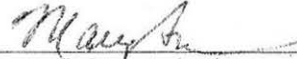
Dated: August 19, 2009
Washington, DC

^{1/} Attorney Haws' letter reflects that he has notified opposing counsel, but not Respondent Bupp.

**In the Matter of Matthew Bupp, and d/b/a Lenders Group Mortgage Company, Lender Group
and L&S Recycling Inc., Respondent.
Docket No. CAA-03-2008-0179**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Respondent's Attorney Haws' Request to Withdraw From Representation of Respondent**, dated August 20, 2009, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

Lydia Guy
Regional Hearing Clerk
U.S. EPA / Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Copy by Pouch Mail to:

Dennis Abraham, Esq.
Assistant Regional Counsel (3RC30)
U.S. EPA / Region II
1650 Arch Street
Philadelphia, PA 19103-2029

Copy by Regular Mail to:

Charles B. Haws, Esq. (For Matthew Bupp)
Barley Snyder, LLC
50 North Fifth Street, 2nd Floor
P.O. Box 942
Reading, PA 19603-0942

Jonathan S. Comitz, Esq. (For L&S Recycling)
Comitz Law Firm, LLC
1043 Wyoming Avenue
Forty Fort, PA 18704

**Dated: August 20, 2009
Washington, D.C.**