



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

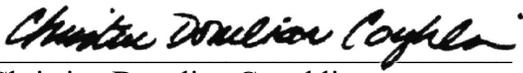
In the Matter of: )  
 )  
David E. Easterday & Co., Inc., )  
d/b/a Woodwright Finishing, ) Docket No. FIFRA-05-2019-0005  
 )  
Respondent. )

**ORDER GRANTING JOINT MOTION FOR  
APPOINTMENT OF A NEUTRAL**

On February 8, 2019, I issued a Prehearing Order scheduling certain prehearing filing deadlines in this proceeding. The Prehearing Order provided that any joint motion for the appointment of a neutral pursuant to 40 C.F.R. § 22.18(d)(3) shall be filed no later than seven days after the filing deadline for Complainant’s Rebuttal Prehearing Exchange. Consistent with this filing deadline, the parties timely filed a Joint Motion for Appointment of a Neutral (“Joint Motion”) on May 17, 2019, seeking the appointment of a neutral pursuant to 40 C.F.R. § 22.18(d)(3) for purposes of facilitating possible settlement of this matter.<sup>1</sup>

The rules that govern this proceeding, set forth at 40 C.F.R. Part 22, provide that the parties may engage in alternative dispute resolution and may move for the appointment of a neutral for this purpose. See 40 C.F.R. § 22.18(d). As the parties have timely requested the appointment of a neutral for alternative dispute resolution, granting this request is appropriate. Accordingly, the Joint Motion is hereby **GRANTED**. In accordance with the provisions of 40 C.F.R. § 22.18(d)(3), this matter is referred to Chief Administrative Law Judge Susan L. Biro for designation of a qualified neutral.

**SO ORDERED.**

  
Christine Donelian Coughlin  
Administrative Law Judge

Date: May 24, 2019  
Washington, D.C.

<sup>1</sup> Notably, the Joint Motion does not reflect the date upon which it was signed by counsel for the parties. However, this motion was timely filed with this Tribunal, and was accompanied by a certificate of service dated May 17, 2019.

In the Matter of *David E. Easterday & Co., Inc., d/b/a Woodwright Finishing*, Respondent.  
Docket No. FIFRA-05-2019-0005

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Order Granting Joint Motion for Appointment of a Neutral**, dated May 24, 2019, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.



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Andrea Priest  
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  
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Copy by Electronic Mail to:

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Dated: May 24, 2019  
Washington, D.C.