

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 RENNER BOULEVARD  
LENEXA, KANSAS 66219**

IN THE MATTER OF	)	<b>Docket No. CWA-07-2014-0060</b>
	)	
DR. DANIEL J. McGOWAN,	)	<b>JOINT MOTION TO RETURN</b>
	)	<b>MATTER TO ALTERNATIVE</b>
Respondent.	)	<b>DISPUTE RESOLUTION</b>
	)	

1. In an Order dated April 15, 2014, this matter was sent to Alternative Dispute Resolution (“ADR”) and assigned to Administrative Law Judge Barbara A. Gunning.

2. On November 13, 2014, a Report recommending termination of ADR process and assignment of a judge for litigation was filed by Judge Gunning.

3. Since that time, the Complainant filed a Motion for Accelerated Decision. On July 25, 2016, Administrative Law Judge M. Lisa Buschmann entered an Order on Motion for Accelerated Decision, Motion to Strike and Motion to Supplement. In said Order, Judge Buschmann granted the Complainant’s Motion for Accelerated Decision on liability.

4. Since that time, the Complainant and the Respondent through counsel have continued to discuss resolution of the remaining issues of civil penalty and permitting.

5. Counsel for both parties believes that an effort should be made to reinstitute the ADR process to facilitate final resolution and hereby jointly move for the return of the case to the ADR process.

6. The parties respectfully request that Judge Gunning be appointed the ADR neutral given her familiarity with the matter.

7. Further, the parties respectfully request the ADR period be limited to two weeks.

Dated this \_\_\_\_ day of September, 2016.

U.S. ENVIRONMENTAL PROTECTION  
AGENCY, Complainant,

By Their Attorneys,

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