



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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In the Matter of)
)
Paco Swain Realty, LLC) Docket No. CWA-06-2012-2712
)
Respondent)

Order on Motion for Extension of Dates Under Prehearing Order


The Prehearing Order issued in this proceeding directed the parties to file their prehearing exchanges, and set the due date for Complainant’s Prehearing Exchange as May 31 2013, and the due date for Respondent’s prehearing exchange as June 28, 2013. On May 23, 2013 Respondent submitted a Motion for Extension of Dates under Prehearing Order, seeking a 30 day extension of time until to file its prehearing exchange. Grounds stated in the Motion are that Respondent’s counsel is a registered legislative lobbyist with the State of Louisiana, whose legislature is currently in session through June 6, 2013, and this prior commitment has reduced the time for settlement negotiations. Respondent states in the Motion that this matter would benefit from additional time to engage in settlement discussions in light of Complainant’s May 15, 2013 Status Report, which stated that a “settlement is likely.” The Motion states further that Complainant has no objection to the request.

The Rules of Practice that govern this proceeding, 40 C.F.R. Part 22, provide that the presiding officer may grant an extension of time for filing any document “upon timely motion . . . , for good cause shown, and after consideration of prejudice to other parties.” 40 C.F.R. § 22.7(b).

For good cause shown, Respondent’s Motion for Extension of dates is **GRANTED**. In the event the parties have not filed a fully executed Consent Agreement and Final Order settling this matter beforehand, Respondent shall file its Prehearing Exchange **on or before June 28, 2013**, Respondent shall file its Prehearing Exchange **on or before July 26, 2013**, and Complainant shall file its Rebuttal Prehearing Exchange on or before **August 9, 2013**.

SO ORDERED.

Dated: May 29, 2013




M. Lisa Buschmann
Administrative Law Judge

In the Matter of Paco Swain Realty, L.L.C., Respondent
Docket No. CWA-06-2012-2712

CERTIFICATE OF SERVICE

I certify that the foregoing **Order on Motion for Extension of Dates under Prehearing Order**, dated May 29, 2013, was sent this day in the following manner to the addressees listed below:



Knolyn R. Jones
Staff Assistant

Dated: May 29, 2013

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