



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Tom Villegas and Amy Villegas,) Docket No. CWA-07-2022-0104
)
Respondents.)

**ORDER ON MOTION TO EXTEND RESPONDENTS' PREHEARING EXCHANGE
DEADLINE**

On September 8, 2022, I issued a Prehearing Order setting dates for the parties to submit their Prehearing Exchange materials. Respondents were directed to file their Prehearing Exchange by November 11, 2022. Respondents filed some of their Prehearing Exchange materials as directed, but they also requested and were granted additional time – until December 16, 2022 – to find and retain a new expert witness. *See* Order on Respondents' Motion for Extension of Time (Nov. 14, 2022).

On December 13, 2022, counsel from Baird Holm LLP entered their appearance on behalf of Respondents and indicated they were replacing Respondent's original counsel from Mattson Ricketts Law Firm. On December 15, 2022, Respondents' newly-hired counsel filed a Motion to Extend Respondents' Prehearing Exchange Deadline ("Motion"). They assert that they and their clients "need additional time to coordinate expert witnesses, review privileged documents, and prepare a Prehearing Exchange." Mot. at 2. They state that they have conferred with counsel for the Agency and that the Agency does not object to the extension.

This Tribunal "may grant an extension of time for filing any document: upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties; or upon its own initiative." 40 C.F.R. § 22.7(b). Here, I find that Respondents have presented good cause for an extension, and the Agency will not be prejudiced.

Accordingly, Respondents' Motion is **GRANTED**.

Respondents' Prehearing Exchange deadline is extended through **February 10, 2023**.

The Agency's deadline for filing a Rebuttal Prehearing Exchange is extended through **March 3, 2023**.

SO ORDERED.



Susan L. Biro
Chief Administrative Law Judge

Dated: December 16, 2022
Washington, D.C.

In the Matter of *Tom Villegas and Amy Villegas*, Respondents.
Docket No. CWA-07-2022-0104

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Motion to Extend Respondents' Prehearing Exchange Deadline**, dated December 16, 2022, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.



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Original by OALJ E-Filing System to:
Mary Angeles, Headquarters Hearing Clerk
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Dated: December 16, 2022
Washington, D.C.