



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

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FEB 19 2014

IN THE MATTER OF )  
 )  
DESTINATION MAUI, INC., ) DOCKET NO. TSCA-09-2013-0010  
 )  
 )  
RESPONDENT )

ORDER RETURNING CASE TO CHIEF ADMINISTRATIVE LAW JUDGE

The undersigned has been serving as a neutral in the Alternative Dispute Resolution ("ADR") process in the above-captioned matter pursuant to the December 6, 2013 Order of Designation by the Chief Administrative Law Judge.

On February 5, 2014, Complainant filed a Motion for Leave to Amend Complaint. Respondent does not oppose the motion.

During a conference call on February 12, 2014, both parties stated that although they have not reached a settlement to resolve this matter, they do want to continue the ADR process. Inasmuch as the undersigned as a neutral in the ADR process is without authority to act on the motion, the case is returned to the Chief Administrative Law Judge for resolution of the pending motion. Thereafter, the undersigned recommends that the case be returned to the undersigned for continuation of ADR.

Barbara A. Gunning  
Administrative Law Judge  
Dated: February 18, 2014

**In the ADR Matter of *Destination Maui, Inc.*, Respondent.  
Docket No. TSCA-09-2013-0010**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Returning Case to Chief Administrative Law Judge**, dated February 18, 2014, was sent this day in the following manner to the addressees listed below.



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Mary Angeles  
Legal Staff Assistant

Original and One Copy by Hand Delivery to:

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One Copy by Electronic and Regular Mail to:

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**Dated: February 18, 2014  
Washington, D.C.**