



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

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In the Matter of: Ryan Reinke, Respondent. Docket No. TSCA-07-2014-0022

ORDER ON RESPONDENT'S COUNSEL'S MOTION TO WITHDRAW AND FOR CONTINUANCE

On July 24, 2014, the Chief of the Toxics and Pesticides Branch, U.S. Environmental Protection Agency Region 7 ("Complainant") filed a Complaint and Notice of Opportunity for Administrative Hearing ("Complaint") against Ryan Reinke ("Respondent"), alleging violations of Section 409 of the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2689, the Residential Lead-Based Paint Hazard Reduction Act of 1992, Pub. L. No. 102-550, §§ 1001-61, 106 Stat. 3672, 3897-927 (codified as amended in scattered sections of 15 & 42 U.S.C.), and federal regulations promulgated thereunder, entitled Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property, set forth in 40 C.F.R. Part 745, Subpart F (the "Disclosure Rule"). Compl. at 1. Complainant seeks a monetary civil penalty in the amount of \$48,000 pursuant to TSCA Section 16, 15 U.S.C. § 2615, which provides that violations of TSCA Section 409 are subject to assessment by Complainant of civil penalties. Id. at 1, 3-4. Respondent, through his attorney, John P. Weis, filed his "Answer to Environmental Agency's Complaint" on December 23, 2014. The parties participated in an alternative dispute resolution process from January 23rd until May 26, 2015, but were unable to reach a settlement in this matter. On May 26, 2015, the undersigned was designated to preside over this proceeding.

Pending before this Tribunal is Respondent's Counsel's Motion to Withdraw and for Continuance ("Motion"), which was filed on April 23, 2015. In the Motion, Respondent's counsel states that "Respondent no longer wishes to retain said counsel and is seeking substitute counsel to represent him in future proceedings in this matter." Mot. at 1. Respondent's counsel also requested "a continuance of the ADR telephone conference call that [was] scheduled to take place at 10:00 a.m. on April 28, 2015" due to Respondent's wife's scheduled cesarean delivery of twins on April 27, 2015. Id. To date, no response to the Motion has been received.

Upon consideration of the Motion and the reasons stated therefor, the Motion is GRANTED in part and the appearance of John P. Weis is hereby deemed WITHDRAWN. The

request for a continuance of the April 28, 2015 ADR telephone conference call is moot and, therefore, **DENIED**.

SO ORDERED.



Christine Donelian Coughlin
Administrative Law Judge

Dated: June 1, 2015
Washington, D.C.

**In the Matter of *Ryan Reinke*, Respondent.
Docket No. TSCA-07-2014-0022**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Respondent's Counsel's Motion to Withdraw and for Continuance**, dated June 1, 2015, was sent this day in the following manner to the addressees listed below.



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Lead Legal Assistant

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**Dated: June 1, 2015
Washington, D.C.**