



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

In the Matter of:)
Kent Hoggan, Frostwood 6 LLC, and) Docket No. CWA-08-2017-0026
David Jacobsen,)
Respondents.)

REPORT RECOMMENDING TERMINATION OF ALTERNATIVE DISPUTE RESOLUTION PROCESS AND ASSIGNMENT OF A JUDGE FOR LITIGATION

The Order by Chief Administrative Law Judge Biro, dated February 21, 2018, that initiated this alternative dispute resolution ("ADR") process provided for a termination date of April 23, 2018. Recommendations were made and approved on April 10, 2018 and May 23, 2018 that extended the ADR process, most recently until June 25, 2018. The parties have utilized the maximum amount of time afforded in our ADR process in an effort to achieve settlement in this matter. While negotiations have been productive, settlement has not been reached. Accordingly, it is my recommendation to terminate the ADR process and assign the case to a Judge for resolution through litigation.

The parties are encouraged to continue settlement discussions, on their own and as they deem appropriate, should they desire resolution of this matter through settlement. I appreciate and thank the parties for the professionalism and courtesy they demonstrated throughout the ADR process.

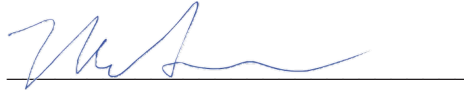
Christine Donelian Coughlin

Christine Donelian Coughlin
Administrative Law Judge
Dated: June 26, 2018

Approved: Susan L. Biro
Chief Administrative Law Judge
Dated: June 26, 2018

Certificate of Service

I hereby certify that copies of the foregoing Report Recommending Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation, dated June 26, 2018, were sent to the following in the manner indicated.



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Dated: June 26, 2018
Washington, D.C.