

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

In the Matter of:

Paco Swain Realty, L.L.C.

Respondent.

§ Docket No. CWA-06-2012-2712  
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**STATUS REPORT**

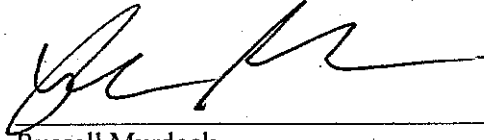
COMES NOW COMPLAINANT, the Director of the Water Quality Protection Division, United States Environmental Protection Agency, Region 6, by and through its attorney, provides the following Status Report, as required by the Order on Complainant's Motion for Accelerated Decision issued by the Administrative Law Judge ("ALJ") on July 23, 2014.

1. Complainant and attorney, Robert W. Morgan, representing Paco Swain Realty, L.L.C. ("Respondent") (collectively, the "Parties"), participated in a settlement conference on August 13, 2014 regarding the above-captioned matter.

2. The Parties have not made substantive progress towards reaching a settlement in this matter. Respondent continues to assert an inability to pay a penalty. At this point, Complainant believes that settlement is unlikely.

3. Complainant believes a status conference with the ALJ would be beneficial in this matter, particularly a discussion of the ALJ's understanding of the path forward to resolve Respondent's affirmative defense of inability to pay.

RESPECTFULLY SUBMITTED,



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**CERTIFICATE OF SERVICE**

I certify that the original of the foregoing STATUS REPORT was filed electronically with the **Headquarters Hearing Clerk** of the Office of the Administrative Law Judges (“OALJ”) via the OALJ E-Filing System, and a true and correct copy was sent to the following on this 22nd day of August, 2014, via email to:

Robert W. Morgan  
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