



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 that directed Respondents to file their Prehearing Exchange materials by November 11, 2022. Respondents filed part of their prehearing exchange on that date, but at their request, I have for various reasons extended the deadline to complete the filing three times. *See* Order on Resp’t’s Mot. for Extension of Time (Nov. 14, 2022); Order on Mot. to Extend Resp’t’s Prehearing Exchange Deadline (Dec. 16, 2022); Order on Mot. to Extend Resp’t’s Prehearing Exchange Deadline (Feb. 9, 2023).

Now before me is Respondent’s fourth request for an extension of time. *See* Mot. to Extend Resp’t’s Prehearing Exchange Deadline (March 23, 2023) (“Motion”). Respondents state that during the past three months, they have worked to find an expert witness with necessary training for this matter and did not succeed in doing so until this week. Mot. at 2. Now, Respondents say their newly hired expert needs time to analyze the evidence and prepare an expert report, and they need additional time to review documents, consult with counsel, and prepare their prehearing exchange. Mot. at 2. They ask that the deadline be extended to June 12, 2023. Mot. at 2. Respondents also state that they have conferred with Agency counsel, who does not object to this extension. Mot. at 2.

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 **June 12, 2023**.

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

SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Biro', positioned above a horizontal line.

Susan L. Biro
Chief Administrative Law Judge

Dated: March 24, 2023
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 March 24, 2023, 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:
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Dated: March 24, 2023
Washington, D.C.