

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
AUGUST MACK ENVIRONMENTAL, INC.,) Docket No. CERCLA-HQ-2017-0001
)
Requestor.)

**NOTICE OF APPEARANCE AND MOTION
TO WITHDRAW AND SUBSTITUTE COUNSEL**

Matthew D. Neumann of the law firm of Krieg DeVault LLP hereby moves the Tribunal to enter his appearance as counsel for Requestor August Mack Environmental, Inc. (“AME”) in substitution of the appearance by Aaron F. Tuley. AME requests that the Tribunal show Mr. Tuley’s appearance as withdrawn and remove Mr. Tuley’s name as counsel of record from all distribution lists.

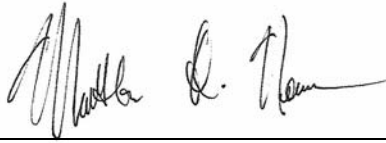
Mr. Neumann provides the Tribunal with his attorney information for service as follows:

Name:	Matthew D. Neumann	Ind. Atty. No:	29408-49
Address:	Krieg DeVault LLP	Telephone:	(317) 636-4341
	One Indiana Square	Facsimile:	(317) 636-1507
	Indianapolis, IN 46204	E-Mail:	mneumann@kdlegal.com

WHEREFORE, Requestor August Mack Environmental, Inc. respectfully requests the Tribunal (1) enter the appearance of Matthew D. Neumann of the law firm of Krieg DeVault LLP as counsel for AME herein, (2) show the appearance of Aaron F. Tuley withdrawn on behalf of AME and remove Mr. Tuley’s name as counsel of record from all distribution lists, (3) show that Stephen A. Studer shall continue to serve as counsel for AME along with Mr. Neumann, and (4) grant all other just and proper relief.¹

¹ A proposed Order granting this Motion is attached hereto as Exhibit 1.

Respectfully submitted,



Matthew D. Neumann, Indiana Attorney No. 29408-49
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Stephen A. Studer, Indiana Attorney No. 16301-71
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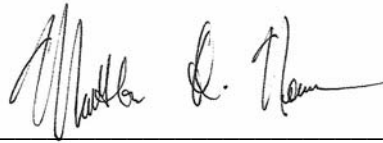
Attorneys for Requestor, August Mack Environmental, Inc.

CERTIFICATE OF SERVICE

I certify that the foregoing Notice of Appearance and Motion to Withdraw and Substitute Counsel was filed with the Headquarters Hearing Clerk this day through the Office of Administrative Law Judges' E-Filing System. Electronic service on the Presiding Officer is thus deemed completed by that e-filing. I further certify that an electronic copy of the Notice of Appearance and Motion to Withdraw and Substitute Counsel was sent this day by electronic mail (e-mail) to the following individuals:

Benjamin M. Cohan, Esq.
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency, Region III
Email: cohan.benjamin@epa.gov
For Respondent

Diane Ajl
Chief, Office of Remediation Enforcement
U.S. Environmental Protection Agency, Region III
Email: ajl.diane@epa.gov
For Respondent



Matthew D. Neumann

Dated: November 30, 2017

Exhibit 1

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
AUGUST MACK ENVIRONMENTAL, INC.,) Docket No. CERCLA-HQ-2017-0001
)
Requestor.)

**ORDER GRANTING MOTION TO WITHDRAW
AND SUBSTITUTE COUNSEL**

The Tribunal, having considered the *Notice of Appearance and Motion to Withdraw and Substitute Counsel* (“Motion”) filed by Requestor August Mack Environmental, Inc. (“AME”), and being duly advised, now finds that the Motion is meritorious and should be **GRANTED**.

IT IS THEREFORE ORDERED AND DECREED that the appearance of Matthew D. Neumann of the law firm of Krieg DeVault LLP is hereby entered as counsel of record for AME, substituted for the appearance of Aaron F. Tuley, and that the appearance of Mr. Tuley is hereby withdrawn. Stephen A. Studer shall continue to serve as counsel for AME, along with Mr. Neumann.

Dated: _____

Susan L. Biro, Chief Administrative Law Judge
Presiding Officer

In the Matter of *August Mack Environmental, Inc.*, Requestor.
Docket No. CERCLA-HQ-2017-0001

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Motion to Withdraw and Substitute Counsel**, dated _____, 2017, were sent this day to the following parties in the manner indicated below.

Name: _____

Title: _____

Original and One Copy by Hand Delivery to:

Mary Angeles
Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
1300 Pennsylvania Ave., NW
Washington, DC 20004

Copy by Electronic Mail to:

Matthew D. Neumann, Esq.
Krieg DeVault LLP
Email: mneumann@kdlegal.com
For Requestor

Stephen A. Studer, Esq.
Krieg DeVault LLP
Email: sstuder@kdlegal.com
For Requestor

Benjamin M. Cohan, Esq.
Senior Assistant Regional Counsel
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For Respondent

Diane Ajl, Esq.
Chief, Office of Remediation Enforcement
U.S. Environmental Protection Agency, Region III
Email: ajl.diane@epa.gov
For Respondent

Dated: _____, 2017
Washington, D.C.