

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 RENNER BOULEVARD  
LENEXA, KANSAS 66219

IN THE MATTER OF:	)	
	)	Docket No.
Tom Villegas and Amy Villegas,	)	CWA-07-2022-0104
	)	
Respondents,	)	MOTION TO EXTEND
	)	RESPONDENTS’
Proceedings under Section 309(a)(3) of the	)	PREHEARING
Clean Water Act, 33 U.S.C. § 1319(a)(3).	)	EXCHANGE DEADLINE
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COME NOW Respondents, Tom Villegas and Amy Villegas, and move this Tribunal to extend Respondents’ Prehearing Exchange Deadline by forty five (45) days, until Monday, March 27, 2023. In support of this motion, Respondents state as follows:

1. A Complaint and Notice of Opportunity for Hearing (“Complaint”) was filed in this matter on August 2, 2022.
2. This Tribunal issued a Prehearing Order directing Respondents to file their Prehearing Exchange by November 11, 2022.
3. On November 14, 2022, this Tribunal issued an Order extending Respondents’ Prehearing Exchange deadline to December 16, 2022.
4. Since that Order, Mattson Ricketts Law Firm withdrew as Respondents’ counsel, and Respondents hired the undersigned as their counsel.
5. The undersigned entered an appearance on December 13, 2022, on behalf of Respondents.
6. On the undersigned’s Motion, this Tribunal issued an Order on December 16, 2022, extending Respondents’ Prehearing Exchange Deadline through February 10, 2023.

7. Since that Order, Respondents' prior expert witness disengaged from the case, and Respondents must hire a new expert witness.

8. Respondents and their new counsel need additional time to coordinate expert witnesses, review privileged documents, and prepare a Prehearing Exchange.

9. Counsel has a personal matter which would impact scheduling a 30-day extension.

10. In light of the foregoing good cause shown, Respondents request that the Prehearing Exchange deadline be extended by forty five (45) days.

11. Respondents are amenable to also extending the Agency's deadline for filing a Rebuttal Prehearing Exchange by forty five (45) days.

12. The undersigned has conferred with counsel for the Agency, and such counsel has stated that the Agency does not object to this Motion. The parties will continue to communicate to facilitate case progression.

13. No prejudice will result to any party from granting the requested extension.

WHEREFORE, Respondents respectfully request an extension of their Prehearing Exchange deadline by forty five (45) days, until Monday, March 27, 2023.

In the Matter of *Tom Villegas and Amy Villegas*, Respondents.  
Docket No. CWA-07-2022-0104

Dated this 8<sup>th</sup> day of February, 2023.

TOM VILLEGAS AND AMY VILLEGAS,  
Respondents

By: /s/Vanessa A. Silke

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Attorneys for Respondents

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Motion to Extend Respondents' Prehearing Exchange Deadline, dated February 8, 2023, was sent this day to the following parties in the manner indicated below:

Original by OALJ E-Filing System to:

Mary Angeles, Headquarters Hearing Clerk  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
[https://yosemite.epa.gov/OA/EAB/EAB-ALJ\\_Upload.nsf](https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf)

Copy by Electronic Mail to:

Natasha Goss, Attorney-Advisor  
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Email: [goss.natasha@epa.gov](mailto:goss.natasha@epa.gov)

/s/Vanessa A. Silke \_\_\_\_\_