

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

In the Matter of: )  
 )  
Borla Performance Industries, Inc., ) Docket No. CAA-R9-2020-0044  
 )  
Respondent. )

**COMPLAINANT’S PRELIMINARY STATEMENT**

The Director of the Enforcement and Compliance Assurance Division of the U.S. Environmental Protection Agency’s Region 9 Office (“Complainant”) files this Preliminary Statement consistent with this Tribunal’s Prehearing Order dated October 19, 2020. The Order requires the parties to “file with the Headquarters Hearing Clerk, serve on the opposing party, and serve on the undersigned a Preliminary Statement that identifies the party’s preference for the location of the hearing.”

Complainant requests that the hearing in this matter be held in Washington, District of Columbia, because it is the city in which the Office of Administrative Law Judges are located, and because Complainant’s chief witnesses are located nearby or can readily travel to this location.

Respectfully Submitted,

November 13, 2020  
Date

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**CERTIFICATE OF SERVICE**

I certify that an electronic copy of the foregoing Complainant's Preliminary Statement *In the Matter of Borla Performance Industries, Inc.*, Docket No. CAA-R9-2020-0044, was filed and served on the Presiding Officer this day through the Office of Administrative Law Judge's E-Filing System. I certify that an electronic copy of this Preliminary Statement was sent this day by e-mail to the following e-mail addresses for service on Respondent's counsel: Erik S. Jaffe at [ejaffe@schaerr-jaffe.com](mailto:ejaffe@schaerr-jaffe.com); Kent Mayo at [kent.mayo@bakerbotts.com](mailto:kent.mayo@bakerbotts.com); Julie Cress at [Julie.cress@bakerbotts.com](mailto:Julie.cress@bakerbotts.com).

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Date

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