



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Dimmid, Inc.,) Docket No. TSCA-02-2023-9226
)
Respondent.)

ORDER ON COMPLAINANT’S MOTION TO EXTEND PREHEARING EXCHANGE DEADLINES

On October 10, 2023, I issued a Prehearing Order setting dates for the parties to conduct their prehearing exchanges. That order set a deadline of November 17, 2023, for the Complainant to submit its initial prehearing exchange; December 8, 2023, for Respondent to submit its prehearing exchange; and December 22, 2023, for the Complainant to submit a rebuttal prehearing exchange. Prehr’g Order at 4. On November 7, 2023, the Complainant filed a motion requesting a two-month extension of each of those deadlines (“Motion”). Mot. at 6. The Complainant requests this extension to facilitate ongoing settlement discussions, which require the analysis of Respondent’s most recent tax returns that will become available to the Complainant in December. Mot. at 6–7. The Motion states that Respondent does not oppose the extension. Mot. at 6.

The Rules of Practice governing this proceeding provide that “the Presiding Officer 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.” 40 C.F.R. § 22.7(b). As a timely motion showing good cause has been filed, and Respondent does not oppose the Motion, the requested extension is hereby **GRANTED**.

The new deadlines for the parties to file their prehearing exchanges shall be:

- January 19, 2024** Complainant’s Initial Prehearing Exchange
- February 9, 2024** Respondent’s Prehearing Exchange
- February 23, 2024** Complainant’s Rebuttal Prehearing Exchange

The Complainant, without mentioning any specific terms of settlement, shall file a Status Report regarding the status of settlement discussions on or before **December 29, 2023**. If the case is settled, a fully executed Consent Agreement and Final Order shall be filed with the Regional Hearing Clerk no later than **January 19, 2024**, and a courtesy copy shall be filed with the Headquarters Hearing Clerk. In the event that a fully executed Consent Agreement and Final Order is not filed on or before January 19, 2024, the parties must prepare for hearing and shall

strictly comply with all other requirements of the Prehearing Order.

SO ORDERED.



Susan L. Biro
Chief Administrative Law Judge

Dated: November 13, 2023
Washington, D.C.

In the Matter of *Dimmid, Inc.*, Respondent.
Docket No. TSCA-02-2023-9226

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Complainant's Motion to Extend Prehearing Exchange Deadlines**, dated November 13, 2023, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.



Mary Angeles
Paralegal Specialist

Copy by OALJ E-Filing System to:
U.S. Environmental Protection Agency
Office of Administrative Law Judges
https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf

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For Respondent

Dated: November 13, 2023
Washington, D.C.