

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

In the Matter of:

MTJ American, LLC

Docket No. FIFRA-04-2014-3009

2015 DEC -3

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Respondent.

ORDER GRANTING EXTENSIONS OF PREHEARING EXCHANGE DEADLINES

On December 1, 2015, the parties filed a joint motion requesting that the deadlines I had previously set for the filing of prehearing exchanges ("PHEs") be extended. The parties contend that these extensions would be justified because they have reached an agreement in principle on a settlement, but need additional time to complete negotiations on the final details of a consent agreement and final order ("CAFO"). Because this Tribunal favors settlement as the means of resolving disputes, the parties' request for extensions is hereby **GRANTED**.

Should the anticipated CAFO fail to come to fruition, the parties shall file their PHEs by the following dates:

January 31, 2016	Complainant's Initial Prehearing Exchange
February 15, 2016	Respondent's Prehearing Exchange
February 26, 2016	Complainant's Rebuttal Prehearing Exchange

The remainder of my October 30, 2015 Prehearing Order, to the extent it does not conflict with the instant order, shall remain in effect.

SO ORDERED.

Susan L. Biro Chief Administrative Law Judge

Dated: December 3, 2015 Washington, D.C. In the Matter of MTJ American, LLC Respondent Docket No. FIFRA-04-2014-3009

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Extensions of Prehearing Exchange Deadlines,** dated December 3, 2015, was sent this day in the following manner to the addressees listed below.

Danielle Pope Paralegal

Original And One Copy To:

Sybil Anderson Headquarters Hearing Clerk U.S. EPA / Office of Administrative Law Judges Mail Code 1900R 1200 Pennsylvania Avenue, NW Washington, DC 20460-2001

One Copy By Electronic and Regular Mail To:

Robert W. Caplan, Esquire Office of Environmental Accountability Division U.S. EPA, Region IV 61 Forsyth Street, SW Atlanta, GA 30303-8960 <u>caplan.robert@epa.gov</u>

Matthew K. Rogers, Esquire Law Offices of Matthews K. Rogers, PLLC P.O. Box 9096 200 1st Ave., NW, Suite 104 Hickory, NC 28603 rogersmk@mrbizlaw.com

Dated: December 3, 2015 Washington, D.C.