Message

From: gtsiolis@nj.rr.com [gtsiolis@nj.rr.com]
Sent: 8/1/2018 7:07:23 PM
To: 'Baynes, Sheila (ENRD)' [Sheila.Baynes@usdoj.gov]
CC: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; Darman, Leslie [Darman.Leslie@epa.gov]
Subject: RE: Florence - UIC

Sheila,

FCI's preference for stipulated dismissal is just a preference.

If an unopposed motion is the only way to get the dismissal ball procedurally rolling soon, then FCI would support that route; but FCI would need to see a draft of the petitioners' unopposed motion and agree to its text before FCI consents to the "unopposed."

You may relate as much to the petitioners' attorneys, if that would help.

Thanks.

George A. Tsiolis
Attorney at Law
602-319-4021
201-408-4256
www.gtsiolis.com

Sent from remote

From: Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov>
Sent: Wednesday, August 1, 2018 2:28 PM
To: gtsiolis@nj.rr.com
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; Darman, Leslie <Darman.Leslie@epa.gov>
Subject: RE: Florence - UIC

George,

Thanks for providing more information. I am still waiting to hear whether I can agree to the voluntary dismissal through an unopposed motion. I do not expect to be authorized to do a stipulation in these circumstances. Would FCI be willing to do the motion route instead?

Thanks,
Sheila

From: gtsiolis@nj.rr.com <gtsiolis@nj.rr.com>
Sent: Tuesday, July 31, 2018 2:39 PM
To: Baynes, Sheila (ENRD) <SBaynes@ENRD.USDOJ.GOV>
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; Darman, Leslie

<Darman.Leslie@epa.gov>
Subject: Re: Florence - UIC

Sheila,

FCI prefers stipulated dismissal because based on our experience it would result in quicker resolution of the petitions.

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On Jul 31, 2018, at 2:08 PM, Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov> wrote:

George,

The government's preference would be to have the Petitioners file an unopposed motion. What is the reasoning for FCI's stated preference for a stipulation?

Thanks,
Sheila

From: gtsiolis@nj.rr.com <gtsiolis@nj.rr.com>
Sent: Monday, July 30, 2018 5:07 PM
To: Baynes, Sheila (ENRD) <SBaynes@ENRD.USDOJ.GOV>
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; Darman, Leslie <Darman.Leslie@epa.gov>
Subject: Re: Florence - UIC

Thank you, Sheila.

George A. Tsiolis
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On Jul 30, 2018, at 5:02 PM, Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov> wrote:

George,

Thank you for your response. EPA is also inclined at this time not to consolidate the petitions. I have cc'ed Leslie Darman, EPA counsel, here.

Thanks,
Sheila

From: gtsiolis@nj.rr.com <gtsiolis@nj.rr.com>
Sent: Monday, July 30, 2018 3:54 PM
To: Baynes, Sheila (ENRD) <SBaynes@ENRD.USDOJ.GOV>
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com
Subject: Re: Florence - UIC

Sheila,

FCI currently would oppose any effort at consolidation of -68 and -70 or delay of the -68 briefing schedule. If it comes up during the call with the Petitioners' tomorrow, then please let's discuss it before EPA stakes out a position.

George A. Tsiolis
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On Jul 30, 2018, at 3:37 PM, Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov> wrote:

Hi George,

I am working on a tight deadline right now, and it would be difficult for me to make time to speak before our call with Barbara tomorrow. It would be helpful for me to know what topic you are interested in discussing. Perhaps we can schedule something after we learn what Barbara is interesting in talking about tomorrow.

Thanks,
Sheila

From: gtsiolis@nj.rr.com <gtsiolis@nj.rr.com>
Sent: Monday, July 30, 2018 2:24 PM
To: Baynes, Sheila (ENRD) <SBaynes@ENRD.USDOJ.GOV>
Subject: FW: Florence - UIC

Hi Sheila:

Perhaps you and I should have a talk first?

George A. Tsiolis

Attorney at Law
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From: Barbara Pashkowski <bpashkowski@gustlaw.com>
Sent: Monday, July 30, 2018 12:40 PM
To: 'gtsiolis@nj.rr.com' <gtsiolis@nj.rr.com>; Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov>
Cc: Ronnie Hawks (RPH@jhc.law) <RPH@jhc.law>; Jim Csontos (JLC@jhc.law) <JLC@jhc.law>
Subject: Florence - UIC

Sheila and George:

Do you have time for a short conference call with us tomorrow sometime between 9 and 11:30 a.m. Arizona time? Ronnie and I are open all morning. If the two of you are not available at the same time, we can arrange separate calls with you.

Please let me know this morning, as I am not available this afternoon.

Barbara U. Rodriguez-Pashkowski
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