

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD

J.C. BAKER & SON, INC.
and BAKER OIL COMPANY,

Appellants,

v.

Appeal No. 22-03-EQB

KATHERYN D. EMERY, DIRECTOR,
DIVISION OF WATER AND WASTE
MANAGEMENT, WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Appellee.

APPELLEE'S AMENDED UNOPPOSED MOTION TO CONTINUE

The Appellee, Katheryn D. Emery, Acting Director, Division of Water and Waste Management, West Virginia Department of Environmental Protection ("WVDEP"), by counsel, hereby moves the Environmental Quality Board for entry of an order continuing the hearing in the above-styled matter from its previously scheduled dates of October 13 and October 14, 2022 to the November 9 and November 10, 2022 meeting of the Board. WVDEP asserts that given the voluminous record, ongoing discovery, and attempts at coordination between WVDEP and the Appellants to expedite the hearing process to the greatest extent possible, additional time is appropriate and necessary.

The Appellant does not oppose this motion. This motion is filed in good faith and not for the purposes of delay or prejudice to the parties.

KATHERYN D. EMERY,
By Counsel

[COUNSEL SIGNATURE ON PAGE 2 OF 2]

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the attached *Appellee's Unopposed Motion to Continue* was delivered on the following persons by electronic mail on October 4, 2022, with hard copies served by United States Postal Service mail, first class, on the same date.

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