

3. The Parties did not provide the Council with a joint update on the status of negotiations by November 15, 2016.

4. On March 2, 2017, a scheduling conference was set for this matter.

5. The Parties prefer to negotiate a resolution of this matter rather than proceeding to a contested case.

6. In jointly requesting a continuance, neither Party admits nor denies any issue of fact or law.

7. This requested continuance will not prejudice either Party.

8. The Parties will provide an update on settlement negotiations to the Council on or before March 22, 2017.

WHEREFORE, the Parties respectfully request a continuance of this matter until at least March 22, 2017. The Parties have attached a proposed Order of Continuance to this Motion.

DATED this 8th day of March, 2017.

FOR PETITIONER DAVE'S ASPHALT

FOR RESPONDENT DEPARTMENT OF ENVIRONMENTAL QUALITY

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