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FEB 2 4 2005

STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
WATER COUNCIL

IN RE: ROBERT CHAPMAN and CHAPMAN SCRAP METAL RECYCLING

DOCKET NO. 04-22-WC

ASSENTED-TO MOTION TO CONTINUE PRE-HEARING CONFERENCE

NOW COME ROBERT CHAPMAN and CHAPMAN SCRAP METAL RECYCLING of Milan, New Hampshire, and move as follows:

1. The Water Council has scheduled a pre-hearing conference in this case on February 28, 2005.

2. The parties are actively exploring resolution of this matter and are making good progress.

3. Additional time is needed to pursue the positive efforts that have been made to date.

4. The efficient administration of justice is best served by allowing full exploration of resolution without the need of a hearing.

5. A continuance of the pre-hearing conference for a period of thirty (30) days, or to the next available date thereafter, is requested. Opposing counsel consents to this Motion.

WHEREFORE, Robert Chapman and Chapman Scrap Metal Recycling respectfully request that the pre-hearing conference scheduled for February 28, 2005 be continued for thirty (30) days to allow full exploration and discussion of resolution of the matter as well as to allow adequate preparation for the pre-hearing conference if the matter is not resolved.

Respectfully submitted,

Robert Chapman and Chapman Scrap Metal Recycling

By Its Attorneys,

MCLANE, GRAF, RAULERSON & MIDDLETON,
PROFESSIONAL ASSOCIATION

COPY

By:_____

Gregory H. Smith
Bicentennial Square
15 North Main Street
Concord, NH 03301-4945
603-226-0400

Certificate of Service

I hereby certify that on February 24, 2005, I served the foregoing Motion by hand-delivering a copy to Allen Brooks, Esq. at the NH Dep't of Justice, Environmental Protection Bureau, 33 Capitol Street, Concord, N.H. 03301, to Michael T. Nolin, Commissioner and Harry T. Stewart, Director Water Division.

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Gregory H. Smith