



In the Matter of:

SHARYN ERICKSON,

COMPLAINANT,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY, REGION 4, ATLANTA, GA.
and
EPA INSPECTOR GENERAL

RESPONDENTS.

ARB CASE NOS. 03-002
03-003
03-004

ALJ CASE NOS. 1999-CAA-2
2001-CAA-8
2001-CAA-13
2002-CAA-3
2002-CAA-18

DATE: NOV 13 2002

ORDER GRANTING MOTION FOR ENLARGEMENT

Petitioner Sharyn Erickson, has requested an enlargement of time for her counsel to file an opening brief in this case. In support of this request Ms. Erickson's counsel asserts that Ms. Erickson's son had to be transported to the hospital on October 28. Ms. Erickson's counsel also says that he "has arthritis, which interferes with several major life activities" and that "[a]rthritis in turn makes counsel more susceptible of colds and flus due to the immune suppression from arthritis." Counsel does not state that his arthritis has either contributed to his inability to file a timely brief or that he currently suffers from a cold or flu that has precluded the filing of a timely brief

While we have great sympathy for Ms. Erickson and her son, as we have previously reminded Ms. Erickson's counsel, Ms. Erickson is not *pro se* and this proceeding before the Administrative Review Board is an appellate proceeding based entirely on the record compiled before the Administrative Law Judge. Thus, it would appear that the necessity of Ms. Erickson assisting her counsel in preparing her brief on appeal should be quite limited. Nevertheless, because the enlargement of time requested is of limited duration and is of reasonable length, the Emergency Motion to Modify Briefing Schedule is **GRANTED**.

The Briefing schedule established by the Board on October 3, 2002, is modified as follows:

1) **Each** party may file an initial brief, not to exceed forty (40) double—spaced typed pages, on or before **November 20, 2002**.

2) **Each** party may file a reply brief, not to exceed forty (40) double-spaced typed pages. on or before **December 20, 2002**.

3) **Each** party may file a rebuttal brief, exclusively responsive to the reply brief and not to exceed twenty (20) double-spaced typed pages. on or before **January 3, 2002**.

FOR THE ADMINISTRATIVE REVIEW BOARD:

Janet R. Dunlop
General Counsel