

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 14, 2011

The Honorable Henry D. Card  
State Office of Administrative Hearings  
William P. Clements Building  
300 West 15th Street, Room 504  
Austin, Texas 78701

Re: Executive Director's Response to Respondent's Motion for Continuance;  
TCEQ Docket No. 2010-0222-PWS-E; SOAH Docket No. 582-10-5983

Dear Judge Card:

Enclosed is a true and correct copy of the Executive Director's Response to Respondent's Motion for Continuance.

The original of the Motion was filed with the Office of the Chief Clerk of the Texas Commission on Environmental Quality on this day.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Huhn".

Jeffrey J. Huhn  
Attorney  
Litigation Division

Enclosure

cc: Mostafa Solimon, 15628 Ginger Lane, Houston, Texas 77040  
Mr. Blas Coy, Public Interest Counsel, TCEQ (via electronic mail)

**SOAH DOCKET NO. 582-10-5983  
TCEQ DOCKET NO. 2010-0222-PWS-E**

<b>EXECUTIVE DIRECTOR OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; PETITIONER</b>	§	<b>BEFORE THE</b>
	§	
	§	
	§	
<b>VS.</b>	§	<b>TEXAS COMMISSION ON</b>
	§	
<b>MOSTAFA SOLIMON D/B/A WILLOWBROOK SUBDIVISION; RESPONDENT</b>	§	<b>ENVIRONMENTAL QUALITY</b>
	§	

**THE EXECUTIVE DIRECTOR'S RESPONSE TO RESPONDENT'S  
MOTION FOR CONTINUANCE**

NOW COMES, the Executive Director of the Texas Commission on Environmental Quality ("Executive Director" or "ED") and hereby files this Response to Respondent's Motion for Continuance in the above-referenced matter, and in support thereof would show the following:

**I.**

On October 7, 2011, the Chief Clerk sent all parties notice of the Agenda Setting. In his Motion for Continuance Respondent suggests that he cannot attend the October 18, 2011 Agenda because of a conflict with his work schedule. The ED disagrees and believes that the Respondent can attend the scheduled Agenda and still meet his obligations. As Exhibit A shows, the Mid-Semester Examination Period is from October 20 – October 22, 2011. According to Exhibit B, Dr. Soliman has from October 20 – October 25, 2011 to submit mid-term grades. The ED submits that the continuance is not necessary under the facts submitted. The ED also notes that Respondent requests that this case be set for Agenda on December 7, 2011. The ED does not understand how Respondent will be available on December 7, 2011 but not October 18, 2011. As shown in Exhibit B, Respondent will face nearly identical time constraints in December when final grades will need to be posted. It is reasonable to expect Respondent can just as easily attend the October 18, 2011 Agenda as he will be able to attend the December 7, 2011 Agenda since he has similar time constraints for both time periods.

The Executive Director is prepared to move forward on October 18, 2011. The ED contends that this case should not be continued.

**Conclusion**

The Executive Director respectfully requests that Respondent's Motion for Continuance be denied.

Respectfully submitted,

Texas Commission on Environmental Quality

Mark R. Vickery, P.G.  
Executive Director

Stephanie Bergeron Perdue, Deputy Director  
Office of Legal Services

Kathleen C. Decker, Division Director  
Litigation Division



by \_\_\_\_\_  
Jeffrey J. Huhn  
State Bar of Texas No. 10249100  
Litigation Division, R-13  
14250 Judson Road  
San Antonio, Texas 78233-4480  
(210) 403-4023  
(210) 545-4329 (FAX)  
[Jeffrey.Huhn@tceq.texas.gov](mailto:Jeffrey.Huhn@tceq.texas.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14<sup>th</sup> day of October, 2011, an original and seven (7) copies of the foregoing "Executive Director's Response to Respondent's Motion for Continuance" ("Response") was filed with the Chief Clerk, Texas Commission on Environmental Quality, Austin, Texas.

I further certify that on this day a true and correct copy of the foregoing Response was mailed via Certified Mail, Return Receipt Requested, Article No. 7003 0500 0002 9936 7540, and via First Class Mail, postage prepaid, to:

Mostafa Solimon  
15628 Ginger Lane  
Houston, Texas 77040

I further certify that on this day a true and correct copy of the foregoing Response was sent via Facsimile Transmission (512) 322-2061, to:

The Honorable Henry D. Card  
State Office of Administrative Hearings  
William P. Clements Building  
300 West 15<sup>th</sup> Street, Room 504  
Austin, Texas 78701

I further certify that on this day a true and correct copy of the foregoing Response was sent via electronic mail to Mr. Blas Coy, Jr., Attorney, Office of the Public Interest Counsel, Texas Commission on Environmental Quality.

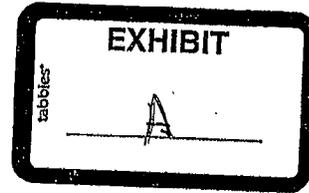


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Jeffrey J. Huhn  
Attorney  
Litigation Division  
Texas Commission on Environmental Quality

**Attachment A & B**

# Academic Calendar



Academic Calendar 2012: [Fall 2012](#) | [Summer 2012](#) | [Spring 2012](#)

October 2011						
S	M	T	W	T	F	S
25	26	27	28	29	30	
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4
5						

| List | Month | Week |  
Year

## Fall 2011

Mid-Semester Examination Period

Thursday, October 20, 2011 - Saturday, October 22, 2011

Deadline to Apply for Spring 2012 Graduation

Tuesday, November 01, 2011 - Tuesday, November 01, 2011

Withdrawal from Course(s) with academic record (

Monday, November 07, 2011 - Monday, November 07, 2011

Priority Registration Begins for Spring 2012 Semester

Tuesday, November 15, 2011 - Tuesday, November 15, 2011

Thanksgiving Holiday (University Closed)

Thursday, November 24, 2011 - Friday, November 25, 2011

Instruction Resumes

Monday, November 28, 2011 - Monday, November 28, 2011

Course Review Day [Classes must convene and instructors will prepare students for Final Exams]

Monday, December 05, 2011 - Tuesday, December 06, 2011

Last Class Day for Fall 2011 Semester

Tuesday, December 06, 2011 - Tuesday, December 06, 2011

LAST DAY to Withdraw from the University (From All Courses) for the Fall 2011 Semester

Tuesday, December 06, 2011 - Tuesday, December 06, 2011

Study Days for Exams

Wednesday, December 07, 2011 - Thursday, December 08, 2011

Final Examination Period

Friday, December 09, 2011 - Wednesday, December 14, 2011

Final Grades Due for Graduating Candidates

Monday, December 12, 2011 - Monday, December 12, 2011

Commencement

Saturday, December 17, 2011 - Saturday, December 17, 2011

Final Grades Due for All Other Students

Tuesday, December 20, 2011 - Tuesday, December 20, 2011

Select a Calendar

- Spring 2011
- Summer 2011
- Fall 2011

tabbies

B



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Office of the Registrar

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Fall 2011 Grade Posting Schedule

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- " Priority Registration Schedule
- " Staff
- ▶ Transcript Request

Grading Periods	Begins	Ends
Mid -Term Grades	Thursday - October 20, 2011	Tuesday - October 25, 2011
Final Grades for Graduation Candidates	Friday - December 9, 2011	Monday - December 12, 2011
Final Grades for All Other Students	Friday - December 9, 2011	Tuesday - December 20, 2011

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