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9 Attorneys for Nancy K. Donovan
10 and Stephen J. Peters

11 **BEFORE THE STATE WATER BOARD RESOURCES CONTROL BOARD**

12 In the matter of)
13 Administrative Civil)
14 Liability Complaint and)
15 Draft Order Issued Against) PETITION FOR RECONSIDERATION AND
16 Nancy K. Donovan and) STAY OF ADMINISTRATIVE CIVIL
17 Stephen J. Peters) LIABILITY AND CEASE AND DESIST
18 ORDER [WATER CODE §1182]

19 Pursuant to the terms of California Water Code §1182 Nancy
20 K. Donovan and Stephen J. Peters hereby petition the State Water
21 Resources Control Board for reconsideration of its November 9,
22 2016 Administrative Civil Liability and Cease and Desist Order in
23 the above-referenced matter.


24 As stated in the declaration of Nancy K. Donovan provided
25 herewith, Ms. Donovan was prevented from attending hearing on
26 October 12, 2016 before the Water Board because her husband, Mr.
27 Peters, intentionally prevented her from doing so. Ms. Donovan
28 filed a Notice of Intent to Appear ("NOI") previously on August
29 23, 2016 which indicated that she planned to call herself as a
30 witness and provide up to 30 minutes of testimony regarding facts
31 specific to the Administrative Civil Liability Complaint and
32 Draft Cease and Desist Order. This NOI did not indicate that she

1 would call Mr. Peters as a witness.

2 Mr. Peters, not being an attorney or otherwise experienced
3 with administrative procedures, did not realize that he could not
4 speak at the October 2016 hearing.

5 Ms. Donovan also is actively treating for cancer and has
6 undergone chemotherapy and currently takes medications daily.
7 Under all these circumstances, including those set forth in the
8 accompanying declaration of Ms. Donovan all of which are
9 incorporated herein, Ms. Donovan and Mr. Peters respectfully
10 request a new hearing, reconsideration of the previously issued
11 Order, and a stay of that Order pending ruling on this Petition
12 and pending any new hearing date and new decision of the Water
13 Board.

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15 Dated: December 6, 2016


CARTER MOMSEN PC
By: Brian S. Momsen, Esq.
Attorney for Nancy K. Donovan
And Stephen J. Peters

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