

STATE OF CALIFORNIA
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

IN THE MATTER OF:)	File No. IH16-004-TIR
)	
File No. IH16-004-TIR:)	
)	
R & L RECYCLE, INC., OPERATOR,)	ORDER
AND IRENE PESTANA AND)	DISMISSING
MICHAEL J. KELLY, JR., CO-TRUSTEES))	PESTANA 1986 FAMILY TRUST
OF THE MARITAL TRUST EST. UNDER))	
THE PESTANA 1986 FAMILY TRUST))	
AGREEMENT DATED MAY 15, 1986,))	
PROPERTY OWNER, ASSESSOR))	
PARCEL NO: 477-09-018,))	
)	
TPID No. 1787089,))	
)	
RESPONDENTS.))	

I. Telephonic Status Conference of July 20, 2016 | Order On Dismissal

A telephonic conference was conducted in the above-referenced matter on July 20, 2016. Heather Hunt and Catherine Nystrom appeared as counsel for the Department of Resources Recycling and Recovery (CalRecycle). Lisa Vosters appeared on behalf of Respondent R & L Recycle, Inc. Adron Beene appeared as counsel for Respondent Pestana 1986 Family Trust. The teleconference was recorded.

On July 19, 2016, CalRecycle filed a request to dismiss without prejudice Respondent property owner Pestana 1986 Family Trust, because CalRecycle and R & L Recycle, Inc. "have reached a conditional verbal settlement agreement which fully resolves all issues in the underlying matter." Neither of the Respondents filed anything in response to the dismissal request, nor did they chose to be heard during the status conference. Accordingly, the request was granted.

Respondent Pestana 1986 Family Trust is dismissed without prejudice and, subject to applicable law, CalRecycle may refile its accusation against the property owner.

IT IS SO ORDERED.

HEARING OFFICER



THOMAS W. VALLANCE
Senior Staff Counsel
Department of Resources
Recycling and Recovery (CalRecycle)

DATED: July 20, 2016