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BEFORE THE
DEPARTMENT OF TRANSPORTATION
OFFICE OF HEARINGS
WASHINGTON, DC

DEPARTMENT OF TRANSPORTATION
99 FEB 16 PM 4:47
DOCKET SECTION

**TRAVEL GROUP, INC., D/B/A REPUBLIC AIR TRAVEL
AND SCOT SPENCER**

**AIRLIFT GROUP, INC.
AND RICHARD BERNARD**

**Unauthorized Air Transportation, Unfair and Deceptive
Practices and Unfair Methods of Competition, and
Violations of Public Charter Rules**

**EXPRESS ONE INTERNATIONAL, INC.
Unfair and Deceptive Practices and Unfair Methods of
Competition, and Violations of Public Charter Rules
Enforcement Proceeding**

**OST-95-272
Docket 49233**

JOINT MOTION FOR AN EXTENSION OF PROCEDURAL DATES

Pursuant to Rule 18 of the Department's Rules of Practice, 14 CFR 302.18, Respondents Scot Spencer and Travel Group, Inc. d/b/a Republic Air Travel (Republic) and the Office of the Assistant General Counsel for Aviation Enforcement and Proceedings (Enforcement Office) move Your Honor to reschedule the date set for proposing hearing dates in this enforcement proceeding (or proposing settlement) to Tuesday, March 17, 1999.

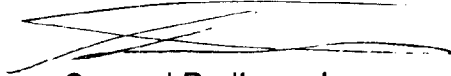
In support of this Motion, the moving parties submit the following: (1) that a second portion of Scot Spencer's written response to a proposed settlement was received by Peter B. Schalk on February 9, and faxed in letter form to the Enforcement Office on February 11; (2) that this long-awaited further portion of his response was different from and far more detailed than anticipated, requiring referral to several documents that have to be located; (3) that when the Enforcement Office reminded Respondent Spencer's new

counsel of Your Honor's direction that "[a]ny motion to approve a consent order must address the proposed disposition of the issues raised at the prehearing conference concerning the January 10, 1994, document ...", he requested that the Enforcement Office fax him and his client certain pages from the transcript of the January 11, 1994 Prehearing Conference in this proceeding, which faxes were sent last Friday afternoon, February 12; (4) that the requested extension will be used to ascertain whether a settlement can be reached that would permit the enforcement issues remaining in this proceeding to be resolved without lengthy delays or costly arrangements that might otherwise be necessary to assure the presence of respondent, Scot Spencer, who since May of this year has been serving a 51-month sentence at Lewisburg Camp, a Federal penal facility in Pennsylvania.

The mail between Scot Spencer and his counsel takes several days resulting in about a two-week turnaround. In addition, Scot Spencer has limited telephone privileges. He cannot receive incoming calls and his outgoing calls are limited to 15-minute time periods whenever they can be scheduled. However, officials at the Lewisburg facility have given the Enforcement Office permission to use the facility's facsimile machines for written communications to Scot Spencer. Accordingly, if the parties are able to reach a settlement, counsel expect it to occur within the next month.

WHEREFORE, Scot Spencer, Republic, and the Enforcement Office respectfully move that Your Honor grant this Motion by issuing the attached proposed Order.

Respectfully submitted,



Samuel Podberesky
Assistant General Counsel



Dayton Lehman, Jr.
Deputy Assistant General Counsel



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[see fax next page signed by Mr. Schalk]

Judd Burstein

/s/ [see fax next page]

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February 16, 1999

Attachments

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