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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 9

2007 AUG -2 AM 11:01

75 HAWTHORNE STREET
SAN FRANCISCO, CALIFORNIA 94105

U.S. EPA. REGION IX
REGIONAL HEARING CLERK

IN RE:)	
)	DOCKET NO. FIFRA-9-2007-0011
Veterinary Service, Inc.,)	
)	JOINT MOTION TO EXTEND TIME
)	TO RESPOND TO COMPLAINT
RESPONDENT)	
_____)	

TO THE REGIONAL JUDICIAL OFFICER:

Pursuant to the authority set forth in the Consolidated Rules of Practice, 40 C.F.R. Part 22, Complainant U.S. Environmental Protection Agency, Region 9 ("Complainant") and Respondent Veterinary Service, Inc. ("Respondent")(collectively the "Parties") move the Regional Judicial Officer to grant a 30-day extension of time to respond to the complaint in the above-entitled action ("Complaint") to September 5, 2007. The Parties' reasons for seeking an extension for time are set forth below.

BACKGROUND

On June 26, 2007, Complainant filed a civil administrative action against Respondent Veterinary Service, Inc. in the above-entitled action. The Complaint alleges violations of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A). Respondent was served with the Complaint on or about July 5, 2007.

ARGUMENT

The Regional Judicial Officer may grant an extension of time to file an answer upon filing of a timely motion, a showing of good cause and after consideration of prejudice to other parties to

the action. 40 C.F.R. §§ 22.7(b); 22.16. This motion satisfies these criteria.

This motion is timely, having been filed prior to the date for Respondent's response to the Complaint.

This motion also complies with the "good cause" requirement of 40 C.F.R. § 22.7(b). It is EPA's policy to encourage settlement and avoid litigation when consistent with the provisions and objectives of the law at issue. 40 C.F.R. § 22.18(b). Representatives of EPA and Respondent wish to engage in good faith settlement negotiations. The Parties agree that an extension of time to answer the Complaint would not only facilitate those discussions but also avoid unnecessary diversion of resources to adversarial pleading.

Finally, granting of this motion will not result in prejudice. The requested extension will provide the Parties additional time to engage in good faith settlement negotiations.

CONCLUSION

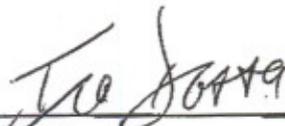
For the reasons set forth above, the Parties respectfully request that the Regional Judicial Officer grant this joint motion to extend time to file a response to and including September 5, 2007.

Dated at San Francisco, California on this 2nd day of August 2007.



David H. Kim

Assistant Regional Counsel
USEPA, Region 9



Ira Bassa

Bergeson & Campbell, P.C.
Attorney for Respondent

CERTIFICATE OF SERVICE

I certify that the original and a copy of the foregoing Joint Motion to Extend Time to Respond to Complaint was hand delivered to:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105

and that a true and correct copy of the Motion was placed in the United States Mail, addressed to the following:

Ira Dassa, Esq.
Lynn Bergeson, Esq.
Bergeson & Campbell, P.C.
1203 Nineteenth Street, N.W.
Suite 300
Washington, D.C. 20036-2401

Dated: 8/2/2007

By: Rosario P. Seannia
Office of Regional Counsel
USEPA, Region 9