

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:

Nestle Purina PetCare Company,

Respondent.

Docket No. FIFRA-05-2012-0002

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JOINT STATUS REPORT

Comes now Complainant United States Environmental Protection Agency ("EPA") and Respondents Nestle Purina PetCare Company (hereinafter "Parties"), through counsel, pursuant to the March 28, 2012, Order Staying Proceeding in the above-referenced matter and respectfully file this Joint Status Motion.

Since the Order Staying Proceedings was filed on March 28, 2012, the parties have engaged in the following mediation activities:


- Parties finalized a contract with mediator Erich Birch;
- The Parties and mediator Erich Birch signed an Alternative Dispute Resolution Agreement;
- The parties and mediator Erich Birch signed a Confidentiality Agreement;
- The Parties have provided mediator Erich Birch with individual confidential position statements;
- The Parties have had individual telephone conferences with mediator Erich Birch;
- The Parties and mediator Erich Birch met on Thursday, May 31, 2012 for a full day of mediation activities; and
- The parties and mediator Erich Birch are scheduled to meet on Thursday, June 7,

2012 for mediation activities.

The parties believe that progress was made at the May 31st mediation session and have scheduled a further in-person mediation sessions. The parties anticipate scheduling further sessions as appropriate.


Respectfully Submitted,

Counsel for EPA:

6/5/12 
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U.S. ENVIRONMENTAL
PROTECTION AGENCY

JUN 05 2012

OFFICE OF REGIONAL
COUNSEL

IN THE MATTER OF: Nestle Purina PetCare Company

Certificate of Service

I certify that I hand delivered the original and one copy of the Joint Status Report, to the Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, and mailed correct copies by UPS overnight to the addressed as follows:

Copy by UPS:

Honorable Barbara A. Gunning
Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
1099 14th Street, N.W.
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Washington, DC 20005

Copy by UPS:

Charles A. Patrizia, Esquire
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On the 5th day of June, 2012



Elizabeth Rosado
Administrative Assistant
U.S. Environmental Protection Agency Region 5

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