

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2009 APR -7 PM 2:47  
REGIONAL HEARING  
CLERK

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: :  
In the Matter of : :  
: :  
Anabec, Inc., : : Docket Number FIFRA-02-2009-5201  
: :  
Respondent. : :  
: :  
Proceeding under The Federal : :  
Insecticide, Fungicide and : : Hon. Barbara A. Gunning,  
Rodenticide Act, as amended. : : Presiding Officer  
: :  
-----X

STATUS REPORT

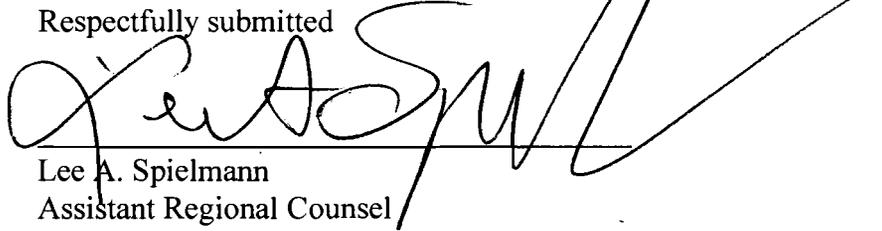
This status report is being provided in compliance with the Court's "Order Seeking Clarification and Directing Settlement Conference," dated March 23, 2009.

The order directed the parties to hold a settlement conference on or before April 16, 2009. The parties, through counsel, have held several substantive telephone conversations discussing settlement in concrete terms, and, in furtherance of these discussions, Respondent has provided documentation for EPA evaluation. As discussed between counsel today, the parties thus deem that such discussions satisfy the Court's directive that they hold a settlement conference on or before April 16<sup>th</sup>.

A settlement offer has been tendered and it is presently being considered. While no actual agreement has yet been reached, it appears to the undersigned that this case will be resolved through settlement discussion. Complainant will continue to keep this Court informed of progress in the parties' ongoing talks and of any other developments.

Dated: April 3, 2009  
New York, New York

Respectfully submitted



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TO: Honorable Barbara A. Gunning  
Administrative Law Judge  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Mail Code 1900L  
Washington, DC 20460

Office of Regional Hearing Clerk  
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***In re Anabec, Inc.***

**Docket No. FIFRA-02-2009-5201**

**CERTIFICATE OF SERVICE**

I certify that I have this day caused to be sent the foregoing Status Report, dated April 3, 2009, in the following manner to the respective addressees listed below:

**Original and One Copy**

**By Inter-Office Mail:**

Office of Regional Hearing Clerk  
U.S. Environmental Protection  
Agency - Region 2  
290 Broadway, 16th floor  
New York, New York 10007-1866

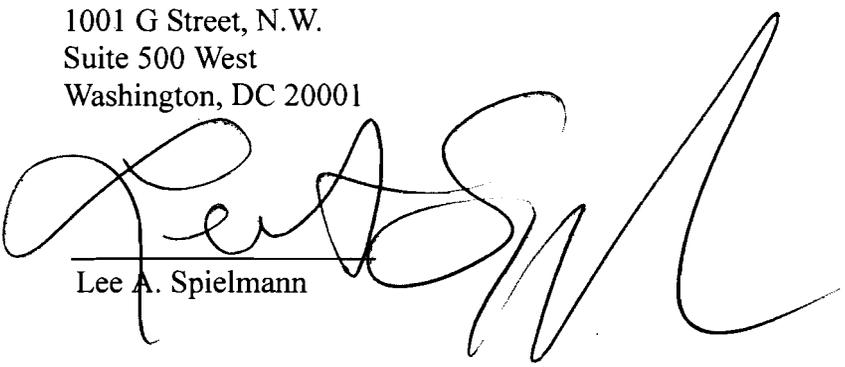
**Copy by Pouch Mail:**

Honorable Barbara A. Gunning  
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U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Mail Code 1900 L  
Washington, DC 20460

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Dated: April 3, 2009  
New York, New York

  
\_\_\_\_\_  
Lee A. Spielmann