

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2**

In the Matter of:

**WYETH PHARMACEUTICALS  
COMPANY, INC.**

State Road 3, Km. 142.1  
Guayama, Puerto Rico 00784

**RESPONDENT**

Proceeding pursuant to Section  
309(g)(2)(B) of the Clean Water Act, 33  
USC § 1319(g)

PROCEEDING TO ASSESS A CLASS II  
CIVIL PENALTY

DOCKET NUMBER CWA-02-2009-3460

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2009 NOV 25 AM 11:08  
REGIONAL HEARING  
CLERK

**JOINT MOTION FOR CONTINUANCE**

**TO THE HONORABLE COURT:**

COME NOW Complainant, the United States Environmental Protection Agency ("EPA") and Respondent, Wyeth Pharmaceuticals Company, Inc. – Guayama Operations ("Wyeth-Guayama"), through their respective undersigned counsel, and respectfully set forth and pray as follows:

1. The parties have reached an agreement in principle in furtherance of settlement of the case at hand, including the amount of a settlement payment.
2. The agreement in principle is dispositive of all matters asserted in the Complaint.
3. Settlement of the case at hand would promote procedural economy, avoiding the delays and costs resulting from the upcoming administrative hearing, in the interest of both parties.

4. Hence, the parties hereby request a stay of the proceedings in the present action for a period of ninety (90) days, in order to finalize a Consent Agreement and Final Order to resolve this matter. Due to the upcoming holidays the Parties submit that this period is reasonable given the circumstances.

WHEREFORE, Complainant and Respondent jointly request a stay of the proceedings in this action for a period of ninety (90) days, in order for the parties to finalize a Consent Agreement and Final Order resolving this matter.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 24th day of November, 2009.

**ATTORNEY FOR COMPLAINANT**

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Assistant Regional Counsel  
U. S. Environmental Protection Agency  
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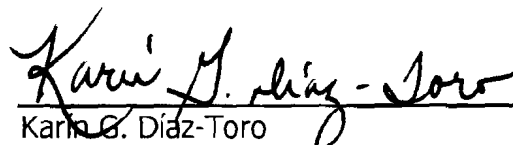


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**ATTORNEYS FOR RESPONDENT**

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**CERTIFICATE OF SERVICE**

I CERTIFY that, on the date noted below, I caused to be submitted a copy of the foregoing Joint Motion for Continuance to the following persons, at the addresses listed below, and in the manner specified below:

**Original and one copy via Federal Express:**

Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency – Region 2  
290 Broadway – 16<sup>th</sup> Floor  
New York, NY 10007

**Copy via Federal Express:**

Judge William B. Moran  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Franklin Court Building  
1099 14<sup>th</sup> Street N.W. Suite 350  
Washington DC 20460

**Copy by regular mail:**

Roberto Durango, Esq.  
Assistant Regional Counsel  
U.S. Environmental Protection Agency –  
Caribbean Environmental Protection Division  
Centro Europa Bldg. – Suite 417  
1492 Ave. Ponce de León  
San Juan, Puerto Rico 00907

In San Juan, Puerto Rico, this 24<sup>th</sup> day of November, 2009.

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