

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

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BEFORE THE ADMINISTRATOR

IN THE MATTER OF)	
)	
FRM CHEM, INC.,)	DOCKET NO. FIFRA-07-2008-0035
ADVANCED PRODUCTS TECHNOLOGY, INC.,)	DOCKET NO. FIFRA-07-2008-0036
SYNISYS, INC.,)	DOCKET NO. FIFRA-07-2009-0041
CUSTOM COMPOUNDERS, INC.,)	DOCKET NO. FIFRA-07-2009-0042
)	
RESPONDENTS.)	

**RESPONDENTS' REPLY TO COMPLAINANT'S
MOTION TO AMEND COMPLAINTS**

COME NOW Respondents FRM Chem, Inc., Advanced Products Technology, Inc., Synisys, Inc. and Custom Compounders, Inc. ("Respondents") and hereby reply to Complainant's Motion to Amend Complaints filed on April 26, 2010.

By their instant response, Respondents refile and adopt their original response to Complainant's Motion to Amend Complaints which was served by overnight delivery on or about March 29, 2010.

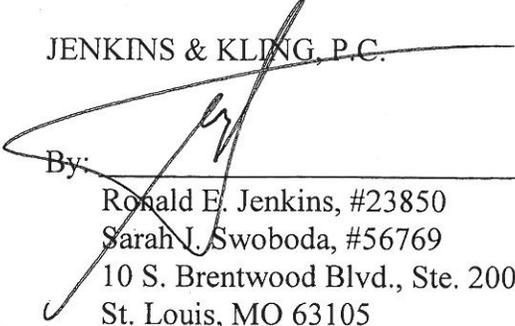
The filing of the proposed Second Amended Complaints has not changed Respondents' original position. The underlying issue remains:

Can Complainant prove liability against the Respondents by meeting its burden of proof that Respondents knew they were distributing products whose registration had been cancelled?

WHEREFORE, Respondents respectfully request this tribunal to allow the amendments as to Custom Compounders (Docket No. FIFRA-07-2009-0042) and Synisys (Docket No. FIFRA-07-2009-0041) and deny the motion to amend as to Keith G. and Karlan C. Kastendieck.

Respectfully submitted,

JENKINS & KLING, P.C.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served via Federal Express upon:

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Honorable Barbara A. Gunning
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this 7th day of May, 2010.