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OF COUNSEL:
FEDERICO CALAF-LEGRAND ‡

* Admitted in PA
○ Admitted in NJ
□ Admitted in MA
‡ Admitted in PR

Via Federal Express

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

August 5, 2008

**Re: In the Matter of Flexabar Corporation and Flexdel Corporation, Administrative Complaint pursuant to §14(a)(1) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. § 1361(a)(1).
Docket No. FIFRA-02-2008-5120
Our File No.: 485.001**

Dear Sir and/or Madam:

Regarding the above-captioned matter, enclosed please the original and two copies of the following:

1. Entry of Appearance on behalf of Respondents, Flexabar Corporation and Flexdel Corporation;
2. Motion for Extension to Time to Answer the Administrative Complaint, with proposed Order and Certification of Service.

Please file the originals of record and return time-stamped copies to me in the enclosed envelope.

Thank you for your kind assistance in this regard.

Yours truly,


DAVID F. MICHELMAN

DFM/cmb
Enclosures

cc: Naomi Shapiro, Esquire [w/encl.]
Helen Ferrara, Administrative Law Judge [w/encl.]

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U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2008 AUG -6 AM 11:09
REGIONAL HEARING
CLERK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 Broadway, 25th Floor
New York, New York 10007-1866

IN THE MATTER OF:

Flexabar Corporation
and
Flexdel Corporation,

Respondents.

Proceeding Under the Federal
Insecticide, Fungicide and
Rodenticide Act, as amended.

Docket No. FIFRA-02-2008-5120

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2008 AUG -6 AM 11:09
REGIONAL HEARING
CLERK

ENTRY OF APPEARANCE

Kindly enter the appearance of David F. Michelman, Esquire and N. Marlene Fleming of Michelman & Bricker, P.C., as counsel on behalf of Respondents Flexabar Corporation and Flexdel Corporation in the above-captioned action.

MICHELMAN & BRICKER, P.C.

Dated: August 5, 2008

By:



David F. Michelman, Esquire
N. Marlene Fleming
Michelman & Bricker, P.C.
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Counsel for Respondents, Flexabar
Corporation and Flexdel Corporation

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 Broadway, 25th Floor
New York, New York 10007-1866

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. 2
2008 AUG - 6 AM 11: 08
REGIONAL HEARING
CLERK

IN THE MATTER OF:

Flexabar Corporation
and
Flexdel Corporation,

Respondents.

Proceeding Under the Federal
Insecticide, Fungicide and
Rodenticide Act, as amended.

Docket No. FIFRA-02-2008-

**MOTION FOR EXTENSION OF TIME TO
ANSWER TO ADMINISTRATIVE COMPLAINT**

Respondents, Flexabar Corporation and Flexdel Corporation, by and through their attorneys, Michelman & Bricker, P.C., request a Forty-five (45) day extension of time to respond to the Administrative Complaint filed by the United States Environmental Protection Agency, Region 2 ("EPA Region 2") in this matter, and in support thereof avers the following:

1. EPA Region 2 served Respondents with an Administrative Complaint in this action on July 14, 2008.
2. Respondents and EPA Region 2 have scheduled an informal settlement conference in this matter for September 12, 2008.
3. Respondents wish to have additional time to prepare for this informal settlement conference, and to conduct settlement negotiations, if appropriate, before pursuing active litigation of this matter.
4. Assistant Regional Counsel for EPA Region 2, Naomi Shapiro, Esquire, has agreed not to oppose this request for an extension of time, requesting an extension of forty five (45) days, to October 2, 2008.

WHEREFORE, Respondents, Flexabar Corporation and Flexdel Corporation, request an extension of time to answer the Administrative Complaint to, and until, October 2, 2008.

Respectfully submitted,

Dated: August 5, 2008

By: 

David F. Michelman, Esquire
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Counsel for Respondents, Flexabar
Corporation and Flexdel Corporation

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 Broadway, 25th Floor
New York, New York 10007-1866**

IN THE MATTER OF:	:	Docket No. FIFRA-02-2008-5120
	:	
Flexabar Corporation	:	
and	:	
Flexdel Corporation,	:	
	:	
Respondents.	:	
	:	
Proceeding Under the Federal	:	
Insecticide, Fungicide and	:	
Rodenticide Act, as amended.	:	

CERTIFICATE OF SERVICE

David F. Michelman, Esquire, hereby certifies that he served a true and correct copy of the foregoing Respondents', Flexabar Corporation and Flexdel Corporation, Motion for Extension of Time to answer the Administrative Complaint via United States Mail, first class, postage prepaid, to the following:

Naomi Shapiro, Esq.
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th floor
New York, NY 10007-1866

Helen Ferrara, RJO
Administrative Law Judge
290 Broadway, 17th Floor
New York, NY 10007-1866

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

Dated: **August 5, 2008**

MICHELMAN & BRICKER

BY: 

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