

December 11, 2007

Regional Hearing Clerk (E-13J)  
U.S. Environmental Protection Agency  
Region 5  
77 West Jackson Blvd.  
Chicago, IL 60604

Re: *EPA v. Behnke*; Case No. FIFRA-05-2007-0025

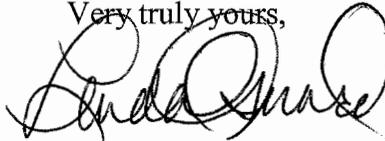
Dear Clerk:

Enclosed for filing are an original and one copy of Respondent's Supplemental Prehearing Exchange in the above-referenced matter. Please file-stamp and return the extra copy to me in the enclosed, self-addressed envelope.

I certify that one copy of the Respondent's Supplemental Prehearing Exchange is being served today by regular mail upon counsel for the Environmental Protection Agency and upon the Hon. Barbara A. Gunning.

Thank you for your assistance in this matter.

Very truly yours,



Linda S. Isnard

LSI/dp

Enclosures

cc: Mr. Eric Peter, w/encl.  
Atty. Nidhi O'Meara, w/encl.  
Hon. Barbara A. Gunning, w/encl.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of:

BEHNKE LUBRICANTS INC.  
MENOMONEE FALLS, WISCONSIN

Docket No. FIFRA-05-2007-0025

Respondent.

RESPONDENT'S SUPPLEMENTAL PREHEARING EXCHANGE

RECEIVED  
REGIONAL HEARING CLERK  
U.S. EPA REGION 5  
2007 DEC 14 PM 4:08

In accordance with the June 27, 2007 Prehearing Order issued by the Court, Respondent Behnke Lubricants, Inc., through its undersigned attorneys, McInay & Button, Ltd., hereby files Respondent's Supplemental Prehearing Exchange as follows:

I. A statement expressing its view as to the estimated amount of time needed to present its direct case.

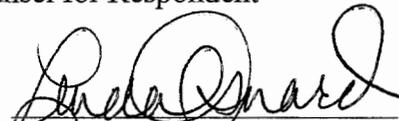
Respondent failed to estimate the amount of time needed to present its direct case in its Initial Prehearing Exchange. Therefore, Respondent now submits that an estimated three to four full days will be needed to present its direct case.

Respondent's Supplemental Prehearing Exchange for In the Matter of Behnke Lubricants, Inc., is hereby respectfully submitted.

Dated: December 11, 2007.

McInay & Button, Ltd.  
Counsel for Respondent

By:



Bruce A. McInay  
State Bar No. 1006609  
Linda S. Isnard  
State Bar No. 1000538  
Elizabeth M. Roat  
State Bar No. 1037779

P.O. Address:  
1150 Washington Street  
Grafton, WI 53024  
(262) 376-1287

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she has caused a true and correct copy of foregoing RESPONDENT'S SUPPLEMENTAL PREHEARING EXCHANGE and the Exhibits identified therein to be served upon the following on the date indicated below:

Regional Hearing Clerk (E-13J) (Original and one copy)  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

Judge Barbara A. Gunning  
Office of the Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900L  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460-2001

Nidhi O'Meara (C-14J), Associate Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

Dated December 11, 2007

  
Linda S. Isnard  
State Bar No. 1000538