

**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-REGION 2
NOV 17 PM 4:32
REGIONAL HEARING
MEETING

RESPONDENT'S MOTION FOR CONTINUANCE

TO THE HONORABLE COURT:

COMES NOW Respondent, Wyeth Pharmaceuticals Company, Inc. – Guayama Operations (“Wyeth-Guayama”), through the undersigned counsel, and respectfully set forth and pray as follows:

1. The parties continue to make progress in their effort to reach an agreement in furtherance of settlement of the case at hand, including the amount of a settlement payment. A meeting to that effect was held last Thursday, November 12, 2009.
2. Settlement of the present action would promote procedural economy, avoiding the delays and costs resulting from the upcoming administrative hearing, in the interest of both Complainant and Respondent.
3. Wyeth-Guayama desires to continue in good faith to negotiate a settlement of this matter in an attempt to reach an amicable resolution of the issues raised,

and believes that a period of ninety (90) days will be adequate to explore whether such a resolution can be reached.

4. Moreover, as of the date of this Motion, a location for the hearing has yet to be identified by Complainant.

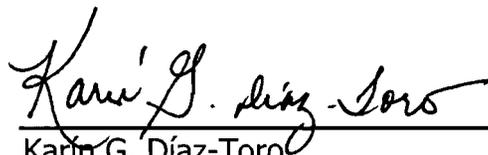
WHEREFORE, Wyeth-Guayama respectfully requests a stay of the proceedings in the present action for a period of ninety (90) days, in order for the parties to rigorously pursue settlement negotiations.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 16th day of November, 2009.

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 Respondent's 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 – 16th Floor
New York, NY 10007

Copy via Federal Express:

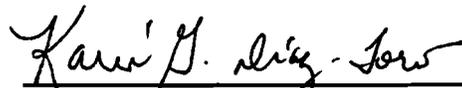
Judge William B. Moran
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Franklin Court Building
1099 14th Street N.W. Suite 350
Washington DC 20460

Copy via certified mail, return receipt requested –
7008 3230 0000 1298 6874:

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 16th day of November, 2009.

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