

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY NEW
YORK, NY 10007-866

In the Matter of	:	
	:	
	:	
	:	
Edwin Andújar Bermúdez dba	:	
Truly Nolen Pest Control De Caguas,	:	
	:	Docket No. FIFRA-02-2017-5302
Respondent	:	

SCHEDULING ORDER

On August 9, 2018, Complainant's Attorney filed, for good cause shown and with the consent of counsel for Respondent, a *Motion for Extension of Time and Scheduling Order*, requesting an additional five months (one-hundred and fifty (150) days) to file and serve the Motion for Penalty. Complainant requests the extension because Respondent's prior counsel has resumed representation of Respondent and settlement negotiations are progressing. These negotiations include the production of financial documents by Respondent and the review of these documents by Complainant. In addition, Complainant seeks a scheduling order to encourage progress in this matter.

On August 9th, the Undersigned issued an *Order Extending Complainant's Time to File Motion for Penalty and Agreeing to Issue Scheduling Order*, granting an extension of time to file and serve a *Motion for Penalty* through January 28, 2019. In addition, the Undersigned ordered the parties to produce a Joint Status Report no later than August 31, 2018.

On September 5, 2018, Complainant's attorney filed a Status Report, stating that the Complainant had yet to receive financial records from Respondent, said records being necessary for Complainant to evaluate the merits of Respondent's financial hardship claim. The Complainant also explained that the Status Report was not filed by the deadline of August 31, 2018 due to earlier confusion as to whether the Respondent was represented by Counsel. By this Order, I confirm my electronic message of September 6, 2018, accepting the Status Report as timely filed.

The Undersigned finds that issuing the following scheduling order is warranted and in the best interest of both parties.

ORDER

Based on the information provided in the Status Report, the Undersigned directs the Respondent to file financial records in this matter to support its financial hardship claim, or show cause why such records shall not be filed, no later than September 28, 2018. The Undersigned also directs the parties to file a Joint Status Report no later than October 5, 2018.

Effective Date

The effective date of this Order shall be the date it is signed by the Presiding Officer, below.

Date: September 12, 2018


Helen Ferrara
Presiding Officer

CERTIFICATE OF SERVICE

I hereby certify that the **Order Extending Complainant's Time To File Motion For Penalty And Agreeing To Issue Scheduling Order** by Regional Judicial Officer Helen Ferrara in the matter of **Edwin Andujar Bermudez dba Truly Nolen Pest Control De Caguas, Docket No. FIFRA-02-2016-5302**, is being served on the parties as indicated below:

First Class Mail -

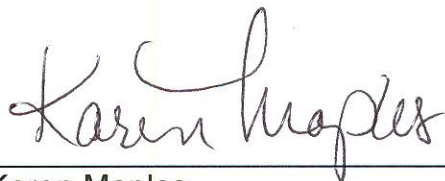
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Karen Maples
Regional Hearing Clerk
USEPA - Region II

Dated: September 12, 2018