

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

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HEARING CLERK

IN THE MATTER OF: )  
 )  
American Consumer Products, )  
 )  
Respondent. )

Docket No. FIFRA-04-2009-3023

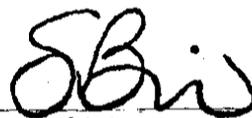
ORDER GRANTING MOTION FOR EXTENSION OF TIME

A Prehearing Order was issued in this matter directing the parties to file a Consent Agreement and Final Order (CAFO) or Complainant to file an initial prehearing exchange on February 26, 2010, and directing Respondent to file a prehearing exchange on March 19, 2010, and Complainant to file a rebuttal prehearing exchange on April 2, 2010. Complainant submitted on February 18, 2010 a Motion for Extension of Time, requesting a 30-day extension of time to file its prehearing exchange. The Motion states that Respondent has indicated that it does not oppose the Motion.

The Motion states that Respondent has agreed to provide financial information regarding its ability to pay the proposed penalty, that EPA will need two weeks to assess the information, and that the parties agree that an adjusted penalty may result in settlement of this matter.

The Motion is hereby **GRANTED**. Good cause exists for the granting of the Motion in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than litigate the matter to conclusion. In that a hearing in this case has not been scheduled, no prejudice will result from a brief delay. Accordingly, Complainant shall file the fully executed Consent Agreement and Consent Order (CAFO) or its Initial Prehearing Exchange, on or before **March 26, 2010**.

It is appropriate to grant Respondent a corresponding extension of time. If the CAFO is not yet filed beforehand, the Respondent shall file its Prehearing Exchange on or before **April 16, 2010**, and Complainant shall file its Rebuttal Prehearing Exchange by **April 30, 2010**.



Susan L. Biro  
Chief Administrative Law Judge

Date: February 19, 2010  
Washington, D.C.

*Maria Whiting-Beale*  
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Maria Whiting-Beale  
Staff Assistant

Dated: February 19, 2010

Original And One Copy By Pouch Mail To:

Patricia Bullock  
Regional Hearing Clerk  
U.S. EPA  
Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303-8960

Copy By Pouch Mail To:

Jennifer Lewis, Esquire  
Associate Regional Counsel  
U.S. EPA  
Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303-8960

Copy By Regular Mail To:

Robin Zahran  
American Consumer Products  
1301 W. 22<sup>nd</sup> Street, Suite 815  
Oakbrook, IL 60523