



**BRAUN KENDRICK**

ATTORNEYS AT LAW

**JOHN A. DECKER**

Attorney

TEL: 989.399.0219

FAX: 989.799.4666

EMAIL: johdec@braunkendrick.com

January 22, 2013



JAN 28 2013

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

Regional Hearing Clerk (E-19J)  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

**Re: Mathie Energy Supply Company, Inc.  
Docket Number: FIFRA-05-2012-0022**

Dear Sir/Madam:

Enclosed please find an original and one copy of Respondent's *Motion for Extension of Time and Proof of Service* submitted on behalf of the Respondent in the above-referenced matter.

Please contact me if you have any questions or comments.

Very truly yours,

BRAUN KENDRICK FINKBEINER P.L.C.

JOHN A. DECKER

JAD/mjl  
Enclosures

cc: Mark J. Koller (via email and regular mail)  
Ann L. Coyle (via email and regular mail)

{S1030938.DOC.1}

BRAUN KENDRICK FINKBEINER P.L.C.  
4301 Fashion Square Blvd., Saginaw, MI 48603-5218  
BRAUNKENDRICK.COM

SAGINAW  
TEL: 989.498.2100  
FAX: 989.799.4666

MIDLAND  
TEL: 989.631.1027  
FAX: 989.631.9880

MT. PLEASANT  
TEL: 989.775.7404  
FAX: 989.775.3764

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of:

Docket No. FIFRA-05-2012-0022

Mathie Energy Supply Company, Inc.  
Morrice, Michigan,

Respondent.

Proceeding to Assess a Civil Penalty Under  
Section 14(a) of the Federal Insecticide,  
Fungicide, and Rodenticide Act, 7 U.S.C.  
§136l(a)

Mark J. Koller (C-14J)  
Office of Regional Counsel  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

BRAUN KENDRICK FINKBEINER P.L.C.  
By: John A. Decker (P31078)  
Attorneys for Respondent,  
Mathie Energy Supply Company, Inc.  
4301 Fashion Square Blvd.  
Saginaw, MI 48603  
Phone: 989-498-2100  
Fax: 989-799-4666

**MOTION FOR EXTENSION OF TIME**

Respondent, Mathie Energy Supply Company, Inc., by its attorneys, requests an extension of time to file this Answer to Complainant's Complaint for a period of 21 days, or until February 13, 2013. Complainant does not oppose this request for extension of time. (Exhibit A).

WHEREFORE, Respondent respectfully requests that the deadline for filing an answer to the First Amended Complaint be extended to February 13, 2013.

Respectfully submitted this 22<sup>nd</sup> day of January, 2013.

BRAUN KENDRICK FINKBEINER P.L.C.

By:

  
JOHN A. DECKER (P31078)  
Attorney for Respondent



## John A. Decker

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**From:** Koller.Mark@epamail.epa.gov  
**Sent:** Tuesday, January 22, 2013 2:00 PM  
**To:** John A. Decker  
**Cc:** Peachey.Robert@epamail.epa.gov; Calvo.Estrella@epamail.epa.gov  
**Subject:** Mathie extension request

John,

I have been able to get a ballpark estimate for the financial analysis. The person who does the analysis is out today, but we may be able to have a initial response by the end of next week. EPA, as I indicated, is unopposed to an extension request and EPA believes a twenty-one day extension is appropriate. You may attach this email with your Unopposed Motion for Extension of Time.

Mark J. Koller  
Associate Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
77 W. Jackson Blvd.  
Chicago, IL 60604  
(312) 353-2591  
(312) 385-5414 (fax)  
[koller.mark@epa.gov](mailto:koller.mark@epa.gov)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

In the Matter of:

Docket No. FIFRA-05-2012-0022

Mathie Energy Supply Company, Inc.  
Morrice, Michigan,

Respondent.

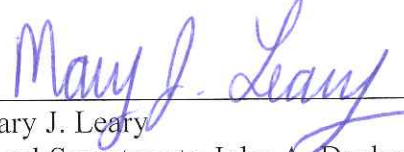
Proceeding to Assess a Civil Penalty Under  
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Office of Regional Counsel  
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4301 Fashion Square Blvd.  
Saginaw, MI 48603  
Phone: 989-498-2100  
Fax: 989-799-4666

**PROOF OF SERVICE**

I hereby certify that on January 22, 2013, an original *Motion for Extension of Time* was filed with the Regional Hearing Clerk, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, and that a complete copy of same was served on Mark J. Koller (C-14J), Office of Regional Counsel, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, via regular mail and via email at [koller.mark@epa.com](mailto:koller.mark@epa.com), as well as to Ann L. Coyle, Regional Judicial Officer, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, via regular mail and via email at [Coyle.Ann@epamail.epa.gov](mailto:Coyle.Ann@epamail.epa.gov).



Mary J. Leary  
Legal Secretary to John A. Decker  
Braun Kendrick Finkbeiner, P.L.C.  
4301 Fashion Square Boulevard  
Saginaw, Michigan 48603  
(989) 498-2256, Ext. 237

Subscribed and sworn to before me  
this 22<sup>nd</sup> day of January, 2013.



BRIDGET A. BOENSCH, Notary Public  
Saginaw County, Michigan  
Acting in Saginaw County, Michigan  
My Commission Expires: 11/28/2016

