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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:

NOTICE OF WITHDRAWAL OF

COUNSEL

DIATECT INTERNATIONAL CORPORATION,

Docket No. FIFRA-08-2008-0029

Respondent

Randy B. Birch, hereby withdraws as Counsel for Respondent in the aboveentitled matter. In support of his withdrawal, Randy B. Birch represents that there are no pending motions and that his withdrawal will not delay trial of this matter.

Dated January 25, 2010.

Randy B. Birch

CERTIFICATE OF SERVICE

I hereby certify than on January 25, 2010, I caused a true and correct copy of the foregoing document to be

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Tina Artemis Regional Hearing Clerk U.S. EPA/Region VIII 1595 Wynkoop Street Denver, CO 80202-1129

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Katie Birch