

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 4

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HEARING CLERK

IN THE MATTER OF)

Warehouse 99 of Miami, Inc.,)
(d/b/a Dollar Star Logistics))

Respondent.)
_____)

Docket No: FIFRA-04-2009-3001

STATUS REPORT AND REQUEST FOR STAY OF PROCEEDINGS

Complainant submits this status report of the on-going action and requests a stay of the ADR teleconference and further proceedings in this case. Parties have reached an agreement in principle and a Consent Agreement and Final Order is being drafted for review and signature by the parties. Counsel for Complainant has conferred with Respondent and the parties have agreed that a Consent Agreement and Final Order will be filed before March 1, 2009.

Respectfully submitted,



Jennifer M. Lewis
Counsel for Complainant

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing Status Report, Docket No. FIFRA-04-2009-3001, to be served upon the persons designated below on the date below, by causing said copies to be deposited in the U.S. Mail, First Class (Certified Mail, Return Receipt Requested, postage prepaid), and by Fax to:

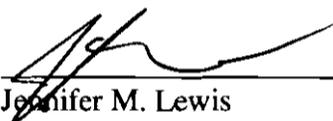
Judge Spencer T. Nissen
Office of Administrative Law Judge
U.S. Environmental Protection Agency
Mail Code 1900 L
1200 Pennsylvania Ave., N.W.
Washington, DC 20460-2001
Fax No. (202) 565-0044

Mr. Kenneth Haber, President
Warehouse 99 of Miami
16725 N.W. 20th Avenue
Miami, FL 33056

I have further caused the original and one copy of the Status Report to be filed with the Regional Hearing Clerk, United States Environmental Protection Agency, Region 4, on the date specified below.

These are said persons' addresses last known to subscriber.

Dated this 12 day of January, 2009.



Jennifer M. Lewis
Counsel for Complainant
Environmental Accountability Division
U.S. Environmental Protection Agency
Region 4