



**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

**In the Matter of:** )  
 )  
**Timothy Wilson, d/b/a** ) **Docket No. FIFRA-07-2023-0135**  
**Wilson's Pest Control,** )  
 )  
**Respondent.** )

**NOTICE OF HEARING ORDER**

Pursuant to the procedural rules governing this proceeding, set forth at 40 C.F.R. Part 22, I am responsible for scheduling the hearing and determining an appropriate location for the hearing, consistent with 40 C.F.R. §§ 22.21(b), (d) and 22.19(d). I am also responsible for regulating the course of the hearing consistent with 40 C.F.R. § 22.4. The Federal Insecticide, Fungicide, and Rodenticide Act, under which this enforcement action is being brought, specifies that the hearing shall be held "in the county, parish, or incorporated city of the residence of the person charged," 7 U.S.C. § 136/(a)(3); likewise, the governing procedural rules provide that "the hearing shall be held in the county, parish, or incorporated city of the residence of the person charged, unless otherwise agreed in writing by all parties," 40 C.F.R. § 22.35(b).

Based on these legal authorities and the record before me, prehearing filing deadlines and the hearing in this matter are scheduled as follows:

**Motions.** Non-dispositive motions, such as motions for additional discovery, motions for subpoenas, and motions in limine, shall be filed no later than **December 27, 2024**. Similarly, a party seeking to supplement its prehearing exchange may do so only by motion after **December 27, 2024**. Belated supplements to a party's prehearing exchange may be excluded from evidence at the undersigned's discretion.

**Settlement Status Report.** Complainant is directed to file a Status Report as to the status of any settlement negotiations between the parties, *which shall not include any specific terms of settlement*, on or before **January 24, 2025**.

**Joint Stipulations.** The time allotted for the hearing is limited. Therefore, the parties shall make a good faith effort to stipulate as much as possible to matters that cannot reasonably be contested. This practice ensures that the hearing is concise and focused solely on those matters that can only be resolved after an evidentiary hearing. Any stipulations

reached by the parties shall be filed as a Joint Set of Stipulated Facts, Exhibits, and/or Testimony on or before **January 31, 2025**.

**Prehearing Briefs.** The parties may, if they wish, file prehearing briefs on or before **February 7, 2025**.

**Prehearing Conference.** A prehearing conference will be scheduled in advance of the hearing and conducted by an Attorney-Advisor for this Tribunal.

**Hearing.** The hearing in this matter shall begin promptly at **9:00 a.m.** on **Tuesday, February 25, 2025**, and continue as necessary through **Thursday, February 27, 2025**. It will be held in person at the following location:

**Thomas F. Eagleton United States Courthouse  
Courtroom 9.170  
111 South 10th Street  
St. Louis, MO 63102**

*Individuals requiring special accommodations for the hearing, including the services of an interpreter, must contact Mary Angeles, Headquarters Hearing Clerk for this Tribunal, at (202) 564-6281, no later than 30 days prior to the scheduled hearing, so that appropriate arrangements can be made. Any procedural questions or questions about what to expect at the hearing should be directed to Jennifer Almase, an Attorney-Advisor for this Tribunal, at almase.jennifer@epa.gov or (202) 564-1170.*

If any party does not intend to attend the hearing, or has good cause for not being able to attend the hearing as scheduled, it shall notify the undersigned as soon as possible.

*Complainant is advised that failure to appear at the hearing, without good cause having been shown, may result in dismissal of the case with prejudice. Respondent is advised that failure to appear at the hearing, without good cause having been shown, may result in the entry of a default judgment against him.*

**SO ORDERED.**

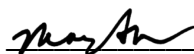
  
\_\_\_\_\_  
Susan L. Biro  
Chief Administrative Law Judge

Dated: November 12, 2024  
Washington, D.C.

In the Matter of Timothy Wilson, d/b/a Wilson's Pest Control, Respondent  
Docket No. FIFRA-07-2023-0135

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Notice of Hearing Order, dated November 12, 2024, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.



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Mary Angeles  
Paralegal Specialist

**Copy by OALJ E-Filing System to:**

Mary Angeles, Headquarters Hearing Clerk  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Ronald Reagan Building, Room M1200  
1300 Pennsylvania Ave. NW  
Washington, DC 20004

**Copy by Electronic Mail to:**

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*Counsel for Respondent*

Dated: November 12, 2024  
Washington, D.C.