

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

In the Matter of:

M & P Pest Control, Inc.

Respondent

Proceeding Under the Federal
Insecticide, Fungicide, and
Rodenticide Act, as amended, and
the Clean Air Act, as amended.

DOCKET NUMBER:
FIFRA-02-2018-5303

STATUS REPORT AND PRELIMINARY STATEMENT

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

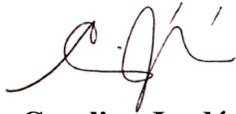
COMES NOW the Complainant, the United States Environmental Protection Agency (“EPA”) through the undersigned attorney and respectfully alleges and prays as follows:

1. Pursuant to the Prehearing Order issued by the Administrative Law Judge, Honorable Christine Donelian Coughlin, dated February 23, 2021, Counsel for Complainant submits the following Status Report and Preliminary Statement in the above captioned matter.
2. The Prehearing Order directed Complainant and M & P Pest Control, Inc., (collectively “the Parties”) to hold a settlement conference and attempt to reach an amicable resolution on or before March 12, 2021.
3. The Prehearing Order directs Complainant to file a Status Report to inform the status of settlement, without mentioning any specific terms, on or before March 19, 2021.
4. In compliance with the Prehearing Order, Complainant informs that the Parties have held several conference calls and electronic communications and, after exchanging counteroffers, have reached an agreement in principle.
5. The Prehearing Order dated February 23, 2021, ordered Complainant to file a Preliminary Statement: 1) identifying Complainant's preference for the location of

the hearing; 2) indicating the party's consent to service of orders and decisions issued by this Tribunal, and to service of documents filed by other parties, *by email only* during this proceeding; and (3) providing a valid email address at which the party will accept such service.

6. Pursuant to the Prehearing Order, Complainant herein identifies the Federal District Court of Puerto Rico as its preference for the location of a hearing.
7. Pursuant to the Prehearing Order, Complainant herein indicates its consent to service of orders and decisions by this Tribunal and other parties by email only during this proceeding.
8. Complainant herein identifies its email address for such service as: jordan-garcia.carolina@epa.gov.

Respectfully submitted, in San Juan, Puerto Rico, on this 19th day of March 2021.



Carolina Jordán-García, Esq.

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Certificate of Service

I hereby certify that on this 19th day of March 2021, I filed via the OAL E-Filing System, the original and copy of this Complainant's Preliminary Statement to the Office of Administrative Law Judges Hearing Clerk; and served a true and correct copy of the filed document to Honorable Christine Donelian Coughlin and Mr. Jhansel Nuñez, Esq., through the following means:

Original by OALJ E-Filing System to:
Mary Angeles, Headquarters Hearing Clerk

Copy by OALJ E-Filing System to:
Christine Donelian Coughlin
Administrative Law Judge

Copy by Electronic Mail to:
Jhansel Núñez-Salce, Esq.
Email: nunez@lopezpabon.com
Email: jhansel.nunez@hotmail.com

Respectfully submitted, in Guaynabo, Puerto Rico, this 19th day of March 2021.



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