

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

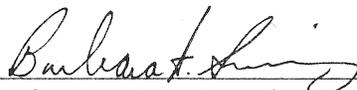
In the Matter of)
)
FLEXABAR CORPORATION and) DOCKET NO. FIFRA-02-2008-5120
FLEXDEL CORPORATION,)
)
)
)
Respondents)

REPORT RECOMMENDING CONTINUATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Chief Administrative Law Judge's Order of October 7, 2008 provides that this alternative dispute resolution (ADR) process terminates December 8, 2008. The recommendation of this Report is that the ADR process be continued for another month, to January 8, 2009.

This continuation of the ADR process is recommended because the parties' negotiations have developed the possibility of a settlement, but additional time is needed if a settlement is to be actually concluded. In a status report dated November 25, 2008 the parties requested continuation of the ADR process for another month. The parties' chances of achieving a settlement are sufficient to justify a continuation of ADR.

Accordingly, the undersigned will continue to work as a Neutral in this case and will file another report with the Chief Administrative Law Judge by January 8, 2009 unless otherwise directed by her.



Barbara A. Gunning
Administrative Law Judge
Dated: November 26, 2008

Approved: 

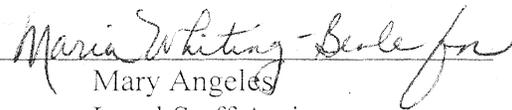
Susan L. Biro
Chief Administrative Law Judge

Dated: 12/1/08

In the Matter of Flexabar Corporation and Flexdel Corporation, Respondents
Docket No. FIFRA-02-2008-5120

Certificate of Service

I certify that the foregoing **Report Recommending Continuation Of Alternative Dispute Resolution Process**, dated November 26, 2008, was sent this day in the following manner
to the addressees listed below.


Mary Angeles
Legal Staff Assistant

Dated: December 1, 2008

Original and One Copy by Facsimile and Pouch Mail to:

Karen Maples
Regional Hearing Clerk
U.S. EPA
290 Broadway, 16th Floor
New York, NY 10007-1866
Fax: 212-637-3199

Copy by Facsimile and Pouch Mail to:

Naomi Shapiro, Esquire
Assistant Regional Counsel
U.S. EPA
290 Broadway, 16th Floor
New York, NY 10007-1866
Fax: 212-637-3199

Copy By Facsimile and Regular Mail To:

David F. Michelman, Esquire
Michelman & Bricker, PC
2207 Chestnut Street
Philadelphia, PA 19103
Fax: 215-557-9450