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UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT
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ENVIR. APPEALS BOARD

No. 08-1311

MARTEX FARMS, S.E.

Petitioner

v.

ENVIRONMENTAL APPEALS BOARD

Respondent

TO: Karen Maples
Region Hearing Clerk
U.S. EPA Region 2
290 Broadway
16th Floor
New York NY 10007-1866

Eduardo Quintana, Esq.
Legal Enforcement Program, MC-ENF-L
U.S. Environmental Protection Agency
1595 Wynkoop St.
Denver CO 80202-1129

Danielle C. Fidler, Esq.
Special Litigation and Projects Division
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW, MC-2248A
Washington DC 20460

Sybil Anderson
Headquarters Hearing Clerk
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW, MC-1900L
Washington DC 20460-0001

Eurika Durr
Clerk of the Environmental Appeals Board
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington DC 20460-0001

NOTICE

Dated: March 11, 2008

On March 10, 2008, Martex Farms, S.E. filed in the United States Court of Appeals for the First Circuit, at Boston, Massachusetts, a petition for review (a copy of which is transmitted herewith) in the proceedings before said agency numbered 07-00001.

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CASE OPENING SCHEDULING NOTICE

Issued: 3/11/08

A petition for review was received on March 10, 2008 and docketed today by the Clerk of the Court of Appeals in compliance with Fed. R. App. P. 15.

If the \$450 docketing fee was not submitted with the petition, then it must be paid to the clerk of the Court of Appeals, in accordance with Fed. R. App. P. 15(e), within fourteen days of the date of this notice. Failure to pay said fee, or obtain in forma pauperis status, may result in the dismissal of this petition for review, or application for enforcement, for want of diligent prosecution.

The administrative record, or certified list, must be filed by 4/21/08. Fed.R.App.P.17. A notice advising you of the due date for the brief, and if necessary the appendix, will be sent upon the filing of the administrative record, or certified list, in this court.

The enclosed appearance form should be completed and returned immediately if you wish to file pleadings in this court. If you have not been admitted to the Bar of the First Circuit Court of Appeals, you must file your appearance with an application and fee for admission. You must indicate the specific party you represent and file additional appearance forms if you represent more than one party on appeal. See 1st Cir. R. 46.0. You may obtain an application for admission from our website, www.ca1.uscourts.gov

Richard Cushing Donovan, Clerk

to: Romano A. Zampierollo

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

CONF

COA#08-1711

MARTEX FARMS, S.E. /
/ Petitioner /
/ v. /
/ ENVIRONMENTAL APPEALS BOARD /
/ (EAB) United States Environmental Protection /
/ Agency, Washington, D.C. /
/ Respondent /
/
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ENVIR. APPEALS BOARD

PETITION FOR REVIEW

TO THE HONORABLE COURT:

COMES NOW the Petitioner Martex Farms, S.E. ("Martex") through the undersigned attorney, and respectfully states and prays:

1. Martex hereby petitions the court for review of the Final Decision and Order issued by the Respondent, the ENVIRONMENTAL APPEALS BOARD (EAB), United States Environmental Protection Agency Washington, D.C., decided on February 14, 2008 and notified on this same date.

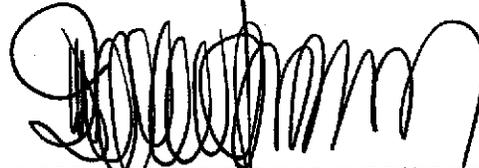
2. Said Final Decision and Order was issued by the Respondent EAB in the following proceeding: FIFRA Appeal No. 07-01, in the matter of Martex Farms, S.E., Docket No. FIFRA-02-2005-5301.

3. Martex is enclosing the required filing fee for this petition for review, and is also sending to the court's clerk enough copies to be notified on each party admitted to participate in the agency proceedings.

4. There are no corporate entities that own 10% or more of Martex Farms, S.E., a special partnership, therefore no FRAP 26.1(a) statement is filed with this petition for review.

RESPECTFULLY SUBMITTED, in San Juan, Puerto Rico, to Boston, Massachusetts, this 8th. day of March, 2008.

USPS Delivery Confirmation
0306-1070-0000-0326-8169

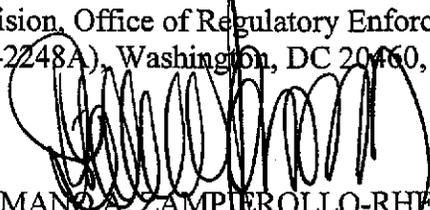


ROMANO A. ZAMPIEROLLO-RHEINFELDT
USDC ID NO. 123702
ATTORNEY FOR PETITIONER

P. O. Box 270105
San Juan, Puerto Rico 00927-0105
[Telephone: (787) 645-9966; 767-3008]
[Telecopier: (787) 763-0601 and 753-8222]

CERTIFICATE OF SERVICE

I, Romano A. Zampierollo-Rheinfeldt, hereby certify that on March 8, 2008, I served copies of this petition for review, USPS delivery confirmation, as follows: **0303-2460-0001-8082-4935** to Ms. Eurika Durr, Clerk of the Environmental Appeals Board, Environmental Protection Agency, (MC 1103B) Ariel Ríos Building, 1200 Pennsylvania Ave., N.W., Washington, D.C. 20460-0001, and FAXED to 1 (202) 233-0121; **0303-2460-0001-8082-5413** to Ms. Sybil Anderson, Headquarters Hearing Clerk, US EPA, Office of Administrative Law Judges, (MC 1900L) Ariel Ríos Building, 1200 Pennsylvania Ave., N.W., Washington, D.C. 20460-0001, and FAXED to 1 (202) 565-0044; **0303-2460-0001-8082-4966** to Hon. Susan L. Biro, Chief Administrative Law Judge, Office of Administrative Law Judges, (MC 1900L) Ariel Ríos Building, 1200 Pennsylvania Ave., N.W., Washington, D.C. 20460-0001, and FAXED to 1 (202) 565-0044; **0303-2460-0001-8082-5017** to Ms. Karen Maples, Regional Hearing Clerk US EPA Region 2, 290 Broadway, 16th. floor, New York, New York 10007-1866; **0303-2460-0001-8082-5000** to Mr. Eduardo Quintana, Esq., Legal Enforcement Program (MC-ENF-L), USEPA, 1595 Wynkoop Street, Denver, Colorado 80202-1129, and FAXED to 1 (303) 312-6953; and **0306-1070-0000-0326-8145** to Ms. Danielle Fidler, Esq., Special Litigation and Projects Division, Office of Regulatory Enforcement, US EPA, 1200 Pennsylvania Ave. NW (MC-2248A), Washington, DC 20460, and FAXED to 1 (202) 564-0010.



ROMANO A. ZAMPIEROLLO-RHEINFELDT