

CHRISTOFFERSEN & KNIERIM, P.C.
Attorneys at Law

April 16, 2007

Regional Hearing Clerk
1595 Wyncoop Street
Denver, CO 80202-1129

Subject: Kevin Larsen, Larsen Farms

Dear Sir/Madam:

Enclosed for filing please find the Answer To Penalty Complaint And Request For Hearing on the above referenced matter. If you have any questions please contact our office.

Sincerely,



Tessa Palmer
Secretary to LAURA CHRISTOFFERSEN

Enclosures: (2) Answer To Penalty Complaint And Request For Hearing

cc: Eduardo Quintana

Offices in Glasgow and Culbertson

Matthew W. Knierim
321 Klein Avenue
P. O. Box 29
Glasgow, MT 59230
Telephone: (406) 228-2487
Fax: (406) 228-2460
2matt@nemont.net

Katie S. Knierim
321 Klein Avenue
P. O. Box 29
Glasgow, MT 59230
Telephone: (406) 228-2487
Fax: (406) 228-2460
ksknierim@nemont.net

Laura Christoffersen
20 Broadway
P. O. Box 650
Culbertson, MT 59218
Telephone: (406) 787-5700
Fax: (406) 787-5842
2laurac@nemont.net

1 Laura Christoffersen
CHRISTOFFERSEN & KNIERIM, P.C.
2 20 Broadway
P. O. Box 650
3 Culbertson, Montana 59218
Telephone: (406) 787-5700
4 ATTORNEY FOR RESPONDENT

2007 APR 19 PM 1:24

EPA REGION VIII
HEARING CLERK

5
6
7
8 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
9

10 - - - - -
11 IN THE MATTER OF:

Docket No. FIFRA-08-2007-2002

12 KEVIN LARSEN
LARSEN FARMS
13 391A Rock Springs Road
P.O. Box 76
14 Reserve, MT 59258

ANSWER TO PENALTY COMPLAINT
AND REQUEST FOR HEARING

15 Respondent.
16 - - - - -

17 Respondent, by and through counsel, answers the complaint
18 filed herein as follows:

19 **AFFIRMATIVE DEFENSES**

- 20 1. The Agency lacks jurisdiction.
21 2. Proper service of process has not been effected.

22 **SPECIFIC ANSWER AND REQUEST FOR HEARING**

23 1. Respondent is without sufficient information to either
24 admit or deny the allegations contained in paragraphs 1 and 2 and
25 therefore denies the same.

1 13. A copy of Exhibit Number 1 was not provided to
2 Respondent and therefore Respondent denies the allegations
3 contained in paragraphs 27 & 28.

4 WHEREFORE, Respondent requests relief as follows:

- 5 1. Respondent requests a hearing,
6 2. Respondent requests that the complaint be dismissed in
7 its entirety,
8 3. And that such other relief as warranted be awarded
9 Respondent.

10 DATED this 16th day of April, 2007.

11 CHRISTOFFERSEN & KNIERIM, P.C.

12
13 By:  _____

14 Attorneys for Respondent

15 **CERTIFICATE OF SERVICE**

16 The undersigned does hereby certify that on the 16th day of
17 April, 2007, a true and correct copy of the foregoing document
18 was duly mailed by first class postage prepaid to:

19 Original & 1 copy:

20 Regional Hearing Clerk
21 1595 Wyncoop Street
22 Denver, CO 80202-1129

23 Copy:
24 Eduardo Quintana
25 Senior Enforcement Attorney
26 Legal Enforcement Program
1595 Wyncoop Street
Denver, CO 80202-1129

CHRISTOFFERSEN & KNIERIM, P.C.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

By: Tessa Palmer

CHRISTOFFERSEN & KNIERIM, P.C.
Attorneys at Law

April 16, 2007

Regional Hearing Clerk
1595 Wyncoop Street
Denver, CO 80202-1129

Subject: Kevin Larsen, Larsen Farms

Dear Sir/Madam:

Enclosed for filing please find the Answer To Penalty Complaint And Request For Hearing on the above referenced matter. If you have any questions please contact our office.

Sincerely,



Tessa Palmer
Secretary to LAURA CHRISTOFFERSEN

Enclosures: (2) Answer To Penalty Complaint And Request For Hearing

cc: Eduardo Quintana

Offices in Glasgow and Culbertson

Matthew W. Knierim
321 Klein Avenue
P. O. Box 29
Glasgow, MT 59230
Telephone: (406) 228-2487
Fax: (406) 228-2460
2matt@nemont.net

Katie S. Knierim
321 Klein Avenue
P. O. Box 29
Glasgow, MT 59230
Telephone: (406) 228-2487
Fax: (406) 228-2460
ksknierim@nemont.net

Laura Christoffersen
20 Broadway
P. O. Box 650
Culbertson, MT 59218
Telephone: (406) 787-5700
Fax: (406) 787-5842
2laurac@nemont.net

1 Laura Christoffersen
CHRISTOFFERSEN & KNIERIM, P.C.
2 20 Broadway
P. O. Box 650
3 Culbertson, Montana 59218
Telephone: (406) 787-5700
4 ATTORNEY FOR RESPONDENT

2007 APR 19 PM 1:24

EPA REGION VIII
HEARING CLERK

5
6
7
8 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
9

10 -----
11 IN THE MATTER OF: Docket No. FIFRA-08-2007-2002
12 KEVIN LARSEN ANSWER TO PENALTY COMPLAINT
LARSEN FARMS AND REQUEST FOR HEARING
13 391A Rock Springs Road
P.O. Box 76
14 Reserve, MT 59258

15 Respondent.
16 -----

17 Respondent, by and through counsel, answers the complaint
18 filed herein as follows:

19 **AFFIRMATIVE DEFENSES**

- 20 1. The Agency lacks jurisdiction.
21 2. Proper service of process has not been effected.

22 **SPECIFIC ANSWER AND REQUEST FOR HEARING**

23 1. Respondent is without sufficient information to either
24 admit or deny the allegations contained in paragraphs 1 and 2 and
25 therefore denies the same.

1 2. Respondent denies the allegations contained in paragraph

2 3.

3 3. With respect to paragraphs 4 & 5, Respondent
4 specifically requests a hearing.

5 4. With respect to paragraphs 6 & 7, Respondent reserves
6 his right to exercise all remedies described therein.

7 5. Respondent denies the allegations contained in paragraph
8 8 and asserts that the farm is owned by a corporate entity.

9 6. Respondent denies the allegations contained in paragraph
10 9.

11 7. Respondent is without sufficient information to either
12 admit or deny the allegations contained in paragraphs 10-15 and
13 therefore denies the same.

14 8. Respondent denies the allegations contained in
15 paragraphs 16 & 17.

16 9. Respondent is without sufficient information to either
17 admit or deny the allegations contained in paragraph 18 & 19 and
18 therefore denies the same.

19 10. Respondent denies the allegations contained in
20 paragraphs 20-22.

21 11. Respondent is without sufficient information to either
22 admit or deny the allegations contained in paragraphs 23 & 24 and
23 therefore denies the same.

24 12. Respondent denies the allegations contained in
25 paragraphs 25 & 26.

26

1 13. A copy of Exhibit Number 1 was not provided to
2 Respondent and therefore Respondent denies the allegations
3 contained in paragraphs 27 & 28.

4 WHEREFORE, Respondent requests relief as follows:

- 5 1. Respondent requests a hearing,
6 2. Respondent requests that the complaint be dismissed in
7 its entirety,
8 3. And that such other relief as warranted be awarded
9 Respondent.

10 DATED this 16th day of April, 2007.

11 CHRISTOFFERSEN & KNIERIM, P.C.

12
13 By:  _____

14 Attorneys for Respondent

15 **CERTIFICATE OF SERVICE**

16 The undersigned does hereby certify that on the 16th day of
17 April, 2007, a true and correct copy of the foregoing document
18 was duly mailed by first class postage prepaid to:

19 Original & 1 copy:

20 Regional Hearing Clerk
21 1595 Wyncoop Street
22 Denver, CO 80202-1129

23 Copy:
24 Eduardo Quintana
25 Senior Enforcement Attorney
26 Legal Enforcement Program
1595 Wyncoop Street
Denver, CO 80202-1129

CHRISTOFFERSEN & KNIERIM, P.C.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

By: Tessa Palmer