

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. J
2009 AUG 11 PH 3: 19
REGIONAL HEARING
CLERK

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: In the Matter of :
: :
: Docket Number FIFRA-02-2009-5201 :
: Anabec, Inc., :
: Respondent. :
: Hon. Barbara A. Gunning, :
: Presiding Officer :
: Proceeding under The Federal :
: Insecticide, Fungicide and :
: Rodenticide Act, as amended. :
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STATUS REPORT

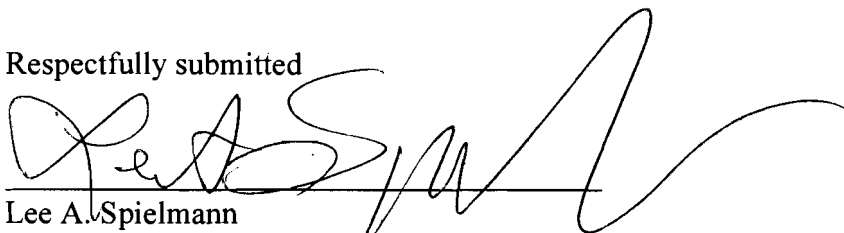
This status report is being provided in an effort to apprise the Court of where matters stand in this proceeding.

In a June 16th status report, it was noted that “[t]he undersigned is hoping that the entire process can be wrapped up shortly.” While the parties are still on track to reach a settlement, the June assessment as to the timing was overly optimistic, and the undersigned wishes to apologize for delays that have occurred which prevented this matter from being concluded by now.

The consent agreement, a version of which Respondent’s counsel has previously seen, is in the process of being circulated for formal Regional concurrence. At that point it will be tendered to Respondent for its formal execution. It is hoped that this matter can be wrapped up within the next few weeks (sometime in September).

Dated: August 7, 2009
New York, New York

Respectfully submitted



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U.S. Environmental Protection Agency, Region 2
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TO: Honorable Barbara A. Gunning
Administrative Law Judge
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1900L
Washington, DC 20460

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In re Anabec, Inc.

Docket No. FIFRA-02-2009-5201

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing Status Report, dated August 7, 2009, in the following manner to the respective addressees listed below:

Original and One Copy

By Inter-Office Mail:

Office of Regional Hearing Clerk
U.S. Environmental Protection
Agency - Region 2
290 Broadway, 16th floor
New York, New York 10007-1866

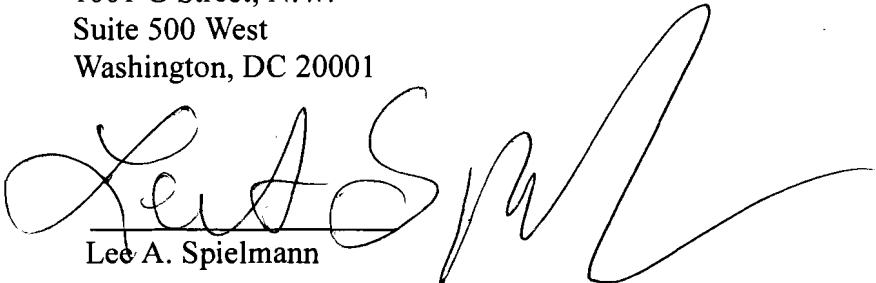
Copy by Pouch Mail:

Honorable Barbara A. Gunning
Administrative Law Judge
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1900 L
Washington, DC 20460

Copy by First Class Mail:

David G. Sarvadi, Esq.
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Dated: August 7, 2009
New York, New York


Lee A. Spielmann