

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

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U.S. ENVIRONMENTAL  
PROTECTION AGENCY

In the Matter of: )

Nestle Purina PetCare Company )  
St. Louis, Missouri 63102 )

Respondent. )

Docket No. FIFRA-05-2012-0002

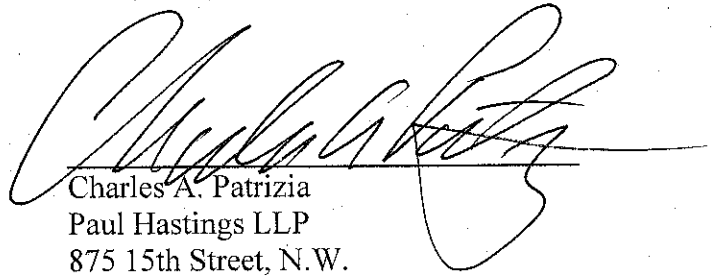
Proceeding to Assess a Civil Penalty  
Under Section 14(a) of the Federal  
Insecticide, Fungicide, and Rodenticide  
Act, 7 U.S.C. § 136l(a)

**MOTION FOR EXTENSION OF TIME TO ANSWER**

Pursuant to 40 C.F.R. § 22.7(b) and Federal Rule of Civil Procedures 6(b), Respondent Nestle Purina PetCare Company, Inc ("Respondent") hereby moves for an order extending by 45 days the deadline in which to answer or otherwise respond to the complaint in this action. This is Respondent's first request for any extension of time. Claimant United States Environmental Protection Agency ("EPA") consents to this motion.

This motion is made in good faith and not for purposes of delay. Respondent's answer to the complaint is currently due on or before January 22, 2012. Counsel requires additional time to evaluate and advise Nestle Purina PetCare Company on its response to this action. An extension of time to answer will also allow the Respondent to continue settlement negotiations which were ongoing with Region V at the time the proceeding was filed. None of the parties will be prejudiced if the agency issues an Order granting the requested extension. Therefore, Nestle Purina PetCare Company respectfully moves for a 45 day extension of time in which to reply to EPA's complaint.

Respectfully submitted this 13th day of January, 2012.

A handwritten signature in black ink, appearing to read 'Charles A. Patrizia', is written over a horizontal line.

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*Attorney for Nestle Purina PetCare Company*

**CERTIFICATE OF SERVICE**

This is to certify that the original and one copy of this Motion were filed on January 13, 2012 with the Regional Hearing Clerk (E-19J), U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, and that true correct copies were sent by Certified Mail with return receipt requested to:

Margaret M. Guerriero, Director  
Land and Chemicals Division  
U.S. Environmental Protection Agency, Region V  
77 West Jackson Boulevard (D-87)  
Chicago, Illinois 60604-3590

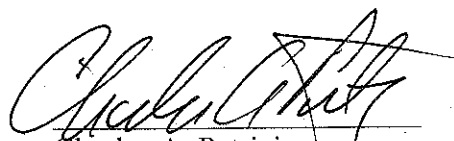
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