

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

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IN THE MATTER OF: )  
 )  
Behnke Lubricants, Inc. )  
Menomonee Falls, Wisconsin )  
 )  
Respondent. )

Docket No. FIFRA-05-2007-0025  
Complainant's Notice of  
Substitution of Expert Witness

**COMPLAINANT'S NOTICE OF SUBSTITUTION OF EXPERT WITNESS**

Complainant hereby files the instant Complainant's Notice of Substitution of Expert Witness, to advise this Honorable Court and Respondent that Dr. Tajah Blackburn, who was identified as an expert witness in Complainant's Supplemental Prehearing Exchange dated December 20, 2007, will replace Dr. Christopher Weis, who was identified as a potential witness in Complainant's Initial Prehearing Exchange dated October 5, 2007.

Dr. Blackburn's testimony will cover the subjects which Dr. Weis was prepared to testify about at hearing, and her testimony will encompass other subjects described by Complainant in Complainant's Supplemental Prehearing Exchange. With Dr. Blackburn's availability as a witness, having both Dr. Weis and Dr. Blackburn testify in this proceeding would result in duplicative testimony.

Respectfully Submitted,



Nidhi K. O'Meara  
James J. Cha  
Erik H. Olson  
Assistant Regional Counsels  
U.S. EPA, Region 5

**In the Matter of Behnke Lubricants, Inc.**  
**Docket No. FIFRA-05-2007-0025**

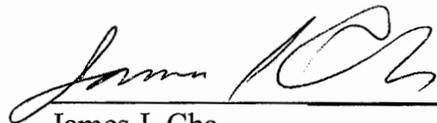
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CERTIFICATE OF SERVICE

I hereby certify that the original and one true, accurate and complete copy of Complainant's Notice of Substitution of Expert Witness were filed with the Regional Hearing Clerk, U.S. EPA, Region 5, on the date indicated below, and that true, accurate and complete copies of Complainant's Notice of Substitution of Expert Witness were served on the Honorable Barbara Gunning, Administrative Law Judge (service by Pouch Mail), and Mr. Bruce McIlroy, Esq., Counsel for Respondent Behnke Lubricants, Inc. (service by First Class Mail), on the date indicated below:

Dated in Chicago, Illinois, this 28<sup>th</sup> day of January, 2008.

  
\_\_\_\_\_  
James J. Cha  
Assistant Regional Counsel