

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

10 AUG -9 PM 12: 25

ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

IN THE MATTER OF)	
)	
FRM CHEM, INC.,)	DOCKET NO. FIFRA-07-2008-0035
ADVANCED PRODUCTS TECHNOLOGY, INC.,)	DOCKET NO. FIFRA-07-2008-0036
SYNISYS, INC.,)	DOCKET NO. FIFRA-07-2009-0041
CUSTOM COMPOUNDERS, INC.,)	DOCKET NO. FIFRA-07-2009-0042
)	
RESPONDENTS.)	

SUPPLEMENTAL NOTICE TO ADMINISTRATIVE LAW JUDGE

COME NOW Respondents FRM Chem, Inc., Advanced Products Technology, Inc., Synisys, Inc. and Custom Compounders, Inc. ("Corporate Respondents") and hereby supplement their previous notice of a potential conflict on the hearing date of this action.

1. The Court and counsel for the parties had a conference call on this issue on August 5, 2010. This Court made it very clear that it would not change the September 28, 2010 setting and the parties were to be ready to proceed unless notified by the Court of another possible opening in its schedule.

2. Corporate Respondents' counsel asked to be able to supplement the original Notice and the Court allowed him to do so, noting again that this Court was not changing the September 28, 2010 setting of the hearing of this case.

3. Corporate Respondents' counsel contacted Judge Murphy's chambers before and after our conference call in this case to discuss the *Horatio Watson* setting vis-a-vis the *FRM Chem* setting.

Counsel was informed by chambers that the *Horatio Watson* case is a three defendant criminal case with potential speedy trial issues due to the defendants' incarceration. It remains set for September 28, 2010.

Counsel contacted the Assistant U.S. Attorney and she is preparing for a September 28, 2010 trial as well. She concurs that this case, in all likelihood, will not be disposed of prior to trial.

4. This Court inquired about other counsel's availability to try the case for Corporate Respondents on September 28, 2010. Sarah Swoboda of our office is on the pleadings in this case. Ms. Swoboda delivered a baby girl (Daphne) on August 4, 2010 and will be on maternity leave for approximately eight (8) weeks.

5. Undersigned counsel is aware this hearing remains set for September 28, 2010 at 9:30 a.m. Undersigned counsel will immediately notify this tribunal if there is any change in the *Horatio Watson* setting.

WHEREFORE, Corporate Respondents's counsel have filed this Supplemental Notice simply for the record.

Respectfully submitted,

JENKINS & KLING, P.C.

By: _____

Ronald E. Jenkins, #23850
10 S. Brentwood Blvd., Ste. 200
St. Louis, MO 63105
(314) 721-2525 ph.
(314) 721-5525 fax

rjenkins@jenkinskling.com

Attorneys for Respondents

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served via Federal Express upon:

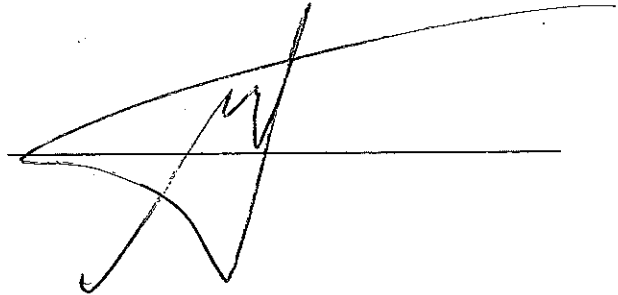
Sybil Anderson
Headquarters Hearing Clerk
U.S. Environmental Protection Agency
1099 14th Street NW
Suite 350, Franklin Court
Washington, DC 20005

Honorable Barbara A. Gunning
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1099 14th Street NW
Washington, DC 20005

Kathy Robinson
Regional Hearing Clerk
EPA - Region 7
901 North 5th Street
Kansas City, KS 66101

Chris R. Dudding
Assistant Regional Counsel
EPA - Region 7
901 North 5th Street
Kansas City, KS 66101

this 6th day of August, 2010.

A handwritten signature in black ink, appearing to read 'Chris R. Dudding', is written over a horizontal line. The signature is stylized and somewhat abstract.