

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
901 NORTH 5<sup>th</sup> STREET  
KANSAS CITY, KANSAS 66101

10 AUG 17 AM 11:08  
ENVIRONMENTAL PROTECTION  
AGENCY-REGION VII  
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

|   |   |                                |
|---|---|--------------------------------|
| IN THE MATTERS OF                                 | ) |                                |
|   | ) |                                |
| FRM Chem, Inc., <i>et al.</i>                     | ) | Docket Nos. FIFRA-07-2008-0035 |
| Advanced Products Technology, Inc., <i>et al.</i> | ) | FIFRA-07-2008-0036             |
| Synisys, Inc., <i>et al.</i>                      | ) | FIFRA-07-2009-0041             |
| Custom Compounders, Inc., <i>et al.</i>           | ) | FIFRA-07-2009-0042             |
|   | ) |                                |
| Respondents                                       | ) |                                |
|   | ) |                                |

MOTION TO FILE SUPPLEMENTAL PREHEARING EXCHANGE

Comes now the Complainant and moves for leave to file the attached supplement to its Prehearing Exchange filed on January 15, 2010. This Supplemental Prehearing Exchange adds exhibits in support of the new Counts 5-9, added in the First Amended Complaint filed in the Matter of Advanced Products Technology, Keith G. Kastendieck, and Karlan C. Kastendieck, filed June 3, 2010, pursuant to the Presiding Officer's Order of May 27, 2010, which granted leave to amend the complaints in the four above-captioned matters.

Complainant is still in the process of reviewing the Respondents' discovery submittals, the latest installment of which was received August 5, 2010. Complainant requests that, after reasonable notice and opportunity for review, it be allowed to further supplement its Prehearing Exchange with any additional testimonial or documentary evidence that is relevant or material to the case.

Respectfully submitted,

U.S. ENVIRONMENTAL PROTECTION AGENCY

BY: 

CHRIS R. DUDDING  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
901 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101  
(913) 551-7524

ATTORNEY FOR COMPLAINANT

CERTIFICATE OF SERVICE

I hereby certify that on this 17 day of Aug, 2010, I hand-delivered the original and one true copy of this Motion and of the proposed Supplemental Prehearing Exchange to the Regional Hearing Clerk, and sent one true and correct copy:

via UPS, to:

Ronald E. Jenkins  
Jenkins & Kling, PC  
10 S. Brentwood Blvd., Ste. 200  
St. Louis, MO 63105

via First Class Mail, to:

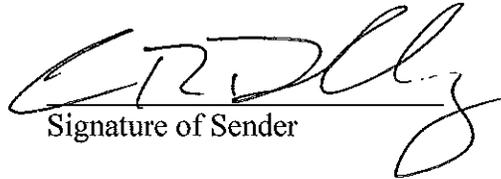
Keith Kastendieck  
P.O. Box 1656  
Washington, MO 63090

Karlan Kastendieck  
3636 Chervil Drive  
St. Charles, MO 63303

via UPS, to:

Judge Barbara Gunning  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
1099 14<sup>th</sup> Street, Suite 350  
Washington, D.C. 20005

Office of the Hearing Clerk  
U.S. Environmental Protection Agency  
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Signature of Sender