

FILED

2010 OCT 25 PM 1:00

U.S. EPA REGION IX  
REGIONAL HEARING CLERK

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 9  
75 HAWTHORNE STREET  
SAN FRANCISCO, CALIFORNIA 94105

In the Matter of:	)	
	)	DOCKET NO. FIFRA-09-2010-0015
Logitech, Inc.,	)	
	)	MOTION TO EXTEND TIME
	)	TO RESPOND TO COMPLAINT
RESPONDENT	)	
_____	)	

TO THE REGIONAL JUDICIAL OFFICER:

Pursuant to the authority set forth in the Consolidated Rules of Practice, 40 C.F.R. Part 22, Respondent Logitech, Inc. (“Respondent”) moves the Regional Judicial Officer to grant a 45-day extension of time to respond to the complaint in the above-entitled action (“Complaint”) to December 13, 2010. Respondent’s reasons for seeking an extension of time are set forth below.

**BACKGROUND**

On September 24, 2010, Complainant U.S. Environmental Protection Agency, Region 9, filed a civil administrative action against Respondent in the above-entitled action. The Complaint alleges violations of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. § 136j(a)(1)(A). Respondent was served with the Complaint on or about September 28, 2010.

**ARGUMENT**

The Regional Judicial Officer may grant an extension of time to file an answer upon filing of a timely motion, a showing of good cause and after consideration of prejudice to other parties to the action. 40 C.F.R. §§ 22.7(b); 22.16. This motion satisfies these criteria.

This motion is timely, having been filed prior to the date for Respondent's response to the Complaint.


This motion also complies with the "good cause" requirement of 40 C.F.R. § 22.7(b). Counsel for Logitech, Gary Roberts of SNR Denton, had major surgery on September 8 and was recuperating through at least October 12, 2010. Mr. Roberts' productivity continues to be impaired as a result of his surgery. 40 C.F.R. § 22.18(b). Assistant Regional Counsel, David H. Kim, has authorized Respondent to advise that EPA does not oppose Respondent's request.

Granting this motion will not result in prejudice. The requested extension will provide a schedule appropriate for good faith settlement negotiations.

### CONCLUSION

For the reasons set forth above, Respondent respectfully requests that the Regional Judicial Officer grant Respondent's motion to extend time to file a response to and including December 13, 2010.

Dated at Los Angeles, California on this 20th day of October, 2010.



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Christopher Smith

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213.623.9300

Attorneys for Respondent  
Logitech, Inc.

CERTIFICATE OF SERVICE

I certify that the original and a copy of the foregoing Motion to Extend Time to Respond to Complaint was placed in the United States Mail, addressed to the following:

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

and that a true and correct copy of the Motion was placed in the United States Mail, addressed to the following:

David H. Kim  
Assistant Regional Counsel  
Environmental Protection Agency, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

Dated: October 20, 2010

By:   
Alicia Aguilar