

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4

IN THE MATTER OF: )  
Agrimor Int'l Co., )  
Respondent. )

Docket No. FIFRA-04-2010-3002

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ORDER GRANTING MOTION FOR ENLARGMENT OF TIME TO  
ANSWER FIRST AMENDED COMPLAINT

PLEASE TAKE NOTICE, on November 10, 2009, Respondent, Agrimor Int'l Co., (hereinafter "Respondent") filed a *Motion for Enlargement of Time to Answer First Amended Complaint* ("Motion") in the above-captioned matter. Referring to the mailing of the First Amended Complaint on October 22, 2009, Respondent seeks an additional twenty (20) days from what is understood to be a November 16, 2009, deadline for filing an Answer. The bases for the Motion are that a) Counsel for Respondent was recently retained on November 6, 2009; b) granting additional time would facilitate an expedited resolution of the matter; and c) granting the extension would not prejudice any party. Furthermore, Counsel for Complaint has indicated that he is unopposed to granting the extension requested.

Pursuant to Section 22.15 of the Consolidated Rules of Practice governing this proceeding, 40 C.F.R. § 22.15, Respondent's Answer is due thirty (30) days after service of the Complaint which is deemed complete when the return receipt is signed. 40 C.F.R. § 22.7(c). According to the "Proof of Service of Complaint and Amended Complaint," filed in this matter on October 30, 2009, Respondent received the Amended Complaint on October 26, 2009. Since service was complete on that date, Respondent's Answer is due November 25, 2009. Nevertheless, an additional twenty days from the presumed due

date of November 16, 2009, would be December 7, 2009, beyond the date the Answer is due. Therefore, based upon the reasons set forth above and based on the fact that Complainant is unopposed to granting the Motion, it is appropriate to grant the extension requested - an additional twenty days from November 16, 2009.

IT IS ORDERED:

1. Respondent's Motion is hereby **granted**.
2. Respondent's Answer to the First Amended Complaint is due on or before **December 7, 2009**.

Dated: November 12, 2009

Susan B. Schub  
Susan B. Schub  
Regional Judicial Officer

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Order Granting Motion for Enlargement of Time to Answer First Amended Complaint, in the Matter of Agrimor Int'l Co., Docket No. FIFRA-04-2010-3002, on the parties listed below in the manner indicated:

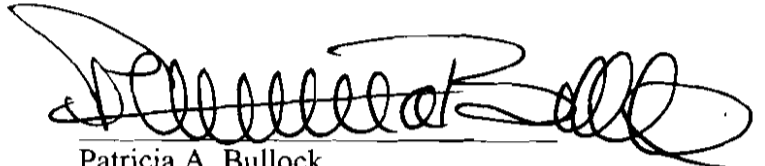
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Certified Mail – (Return  
Receipt Requested)

Robert Caplan, Esq.  
Senior Attorney  
U.S. Environmental Protection Agency  
Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303

(via Intra-Office Mail)

Date: 11-17-09



Patricia A. Bullock  
Regional Hearing Clerk  
U.S. Environmental Protection  
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