

Robert T Scott
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FILED

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U.S. DISTRICT COURT
REGIONAL HEARING CLERK

October 31, 2006

Docket No. FIFRA-9-2006-0005

MOTION TO DISMISS

On August 23, 2006 the Court issued a Prehearing Order. Respondent filed a response timely to all parties by the required October 25, 2006 specified in said Order. It is one week past said date and Respondent has received nothing from Complainant. Complainant has disregarded the Courts Prehearing Order and has filed no response to date to Respondent. Respondent respectfully requests and makes a Motion for the Court to rule in favor of Respondent and to dismiss this case with prejudice against Complainant



Robert T. Scott
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LTS Investments

Dated : October 31, 2006
Reno, Nevada

In the Matter of LTS Investments, d/b/a North Valleys True Value Hardware, Respondent Docket
No. FIFRA-09-2006-0005

CERTIFICATE OF SERVICE

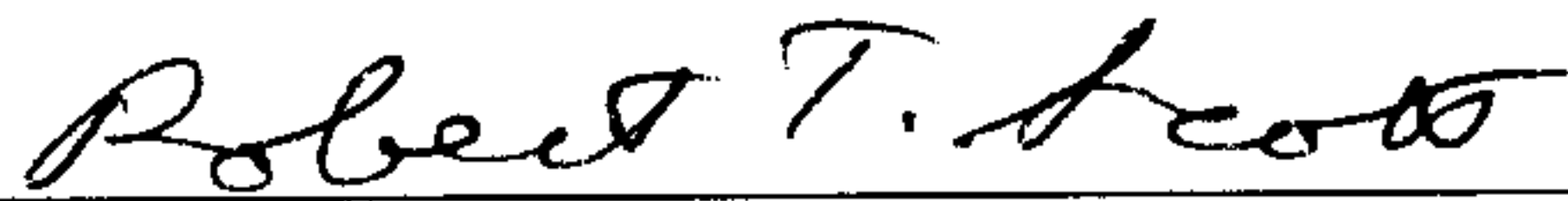
I certify that the foregoing **Motion to Dismiss**, dated October 31, 2006, was sent this day in the following manner to the addresses listed below:

Original by Mail to: Danielle Carr
Regional Hearing Clerk
U.S. EPA – Region 9
75 Hawthorne Street
San Francisco, CA 94105

Copy by Mail to:

Attorney for Complainant: Margaret Alkon, Esp
Assistant Regional Counsel
U.S. EPA
75 Hawthorne Street
San Francisco, CA 94105

Administrative Law Judge: William B. Moran
U.S. EPA Office of Administrative Law Judges
Mail Code 1900L
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001



Robert T. Scott
LTS Investments

Dated: October 31, 2006