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ENVIRONMENTAL PROTECTION AGENCY
AGENCY-REGION VII
REGIONAL HEARING CLERK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
Eldon C. Stutsman, Inc.) Docket No. FIFRA-07-2006-0210
121 Lassie Street)
Hills, Iowa 52235) STATUS UPDATE
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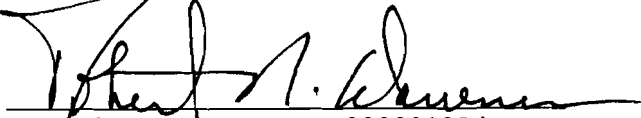
COMES NOW, Defendant Eldon C. Stutsman, Inc., and through its Attorneys Robert N. Downer and Andrew J. Hosmanek states the following for its Status Update to the Administrator:

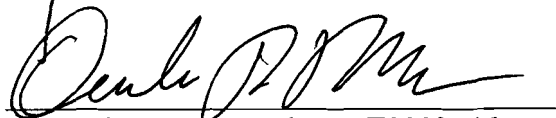
1. Defendant, through its attorney Andrew Hosmanek, contacted EPA Assistant Regional Counsel Rupert G. Thomas on December 28, 2006 via telephone with an offer of settlement in the above-captioned matter, including payment of the entire proposed assessment in the amount of \$5,850.00 (five thousand eight hundred fifty dollars).
2. Assistant Regional Counsel Thomas conferred with Attorney Hosmanek on December 29, 2006 via telephone and indicated his assent to settlement of the above-captioned matter.
3. During this same conversation, Assistant Regional Counsel Thomas indicated that that he would be away from his office until January 8, 2007, and would send settlement forms to Defendant upon his return.

4. Assistant Regional Counsel Thomas instructed Attorney Hosmanek to prepare and file this Status Update in order to advise the Administrator of the pending settlement in this case.

WHEREFORE, Defendant hereby respectfully submits this Status Update to the Administrator dated the 3rd day of January, 2007.

MEARDON, SUEPPEL & DOWNER P.L.C.

By 
Robert N. Downer 000001324

By 
Andrew Hosmanek AT0003746
122 South Linn Street
Iowa City, IA 52240
(319) 339-9222
FAX: (319) 338-7250

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I certify that on the date noted below I filed this Status Update via certified mail with the Regional Hearing Clerk, EPA, 901 North 5th Street, Kansas City, Kansas 66101.

I further certify that on the date noted below I sent by certified mail a copy of this Status Update to the following:

Mr. Rupert G. Thomas, Esq.
Assistant General Counsel
EPA – Region 7
901 North 5th Street
Kansas City, Kansas 66101

January 3, 2007
Date

Barbara J. Fry
Signature

cc:

Eldon C. Stutsman, Inc.
121 Lassie Street
Hills, Iowa 52235