

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

IN THE MATTER OF

Emrich Aerial Spraying LLC,

Respondent.

)
) **Docket No. FIFRA-07-2022-0133**
)
)
) **THIRD MOTION FOR**
) **EXTENSION OF**
) **TIME TO FILE PREHEARING**
) **EXCHANGE AND/OR A CONSENT**
) **AGREEMENT AND FINAL ORDER**

Complainant U.S. Environmental Protection Agency ("EPA") hereby respectfully submits the following Third Motion for Extension of Time to File Complainant's Rebuttal Prehearing Exchange and/or a Consent Agreement and Final Order (CAFO).

1. On December 11, 2023, this Court ordered that a fully-executed CAFO shall be filed on or before December 29, 2023.
2. The parties have a settlement in principle.
3. Complainant requests that the deadline for a CAFO be extended four weeks, to January 26, 2024.
4. Complainant communicated its intention to file this motion to Respondent and Respondent has no objection.

RESPECTFULLY SUBMITTED this 2nd day of January, 2024.

For the Complainant
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CERTIFICATE OF SERVICE

I certify that the foregoing Third Motion for Extension of Time to File Complainant's Rebuttal Prehearing Exchange and/or a Consent Agreement and Final Order, Docket No. FIFRA-07-2022-0133, has been submitted electronically using the OALJ E-Filing System.

A copy was sent by email to Tiernan Siems, counsel for Respondent, at *tsiem@eslaw.com*.

Date: January 2, 2024

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