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

In the Matter of:)	Docket No. FIFRA-09-2025-0033
)	
Twin Med, LLC)	MOTION TO EXTEND TIME TO
)	RESPOND TO THE COMPLAINT
)	
Respondent)	
)	

TO THE REGIONAL JUDICIAL OFFICER:

Pursuant to the authority set forth in the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22, Complainant U.S. Environmental Protection Agency, Region 9 (“Complainant”) moves the Regional Judicial Officer to grant a 60-day extension of time to respond to the Complaint in the above-entitled action to April 21, 2025. Complainant’s reasons for seeking an extension for time are set forth below.

BACKGROUND

On January 16, 2025, Complainant filed a civil administrative action against Twin Med, LLC, (“Respondent”) in the above-entitled action. The Complaint alleges violations of Section 12(a)(1)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136j(a)(1)(A). Respondent was served with the Complaint on or about January 21, 2025.

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). It is EPA’s policy to encourage settlement and avoid litigation when consistent with the provisions and objectives of the law at issue. 40 C.F.R. § 22.18(b). Representatives of EPA and Respondent are discussing settlement of the above captioned matter, and a 60-day extension of time to answer will facilitate such negotiations. Respondent does not oppose this motion.

Finally, granting of this motion will not result in prejudice. The requested extension will provide EPA and Respondent additional time to engage in discussions to fully resolve this matter.

CONCLUSION

For the reasons set forth above, Complainant respectfully requests that the Regional Judicial Officer grant Complainant's motion to extend time to respond to the Complaint to and including April 21, 2025.

Dated at San Francisco, California on February 6, 2025.

David H. Kim
Assistant Regional Counsel
USEPA, Region 9

CERTIFICATE OF SERVICE

I certify that the original of the foregoing Motion to Extend Time to Respond to the Complaint was filed electronically with:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
Tu.ponly@epa.gov

and that a true and correct copy of the Motion was sent by electronic mail to the following party:

Scott M. Watson, Esq.
Barnes & Thornburg LLP
171 Monroe Avenue N.W., Suite 1000_
Grand Rapids, MI 49503
Scott.watson@btlaw.com

Dated: _____

By: _____

Office of Regional Counsel
USEPA, Region 9