



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

In the Matter of:)
)
Frontline Group LLC,) **Docket No. FIFRA-09-2023-0096**
)
Respondent.)

ORDER FOR RESPONDENT TO SHOW CAUSE

This proceeding was initiated on September 28, 2023, when Complainant, the Manager of the Toxics Section in the Enforcement and Compliance Assurance Division at the U.S. Environmental Protection Agency, Region 9, filed a Complaint and Notice of Opportunity for Hearing (“Complaint”) against Respondent Frontline Group LLC for alleged violations of Section 12 of the Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”), 7 U.S.C. § 136j. Brad Gooden, owner of Frontline Group LLC, filed what purported to be Respondent’s Answer to the Complaint (“Response”) with the Regional Hearing Clerk of Region 9 on October 19, 2023. Treating the Response as an answer, the Regional Hearing Clerk forwarded the matter to this Tribunal for adjudication.

Upon being designated to preside, I reviewed the Response, noting that it did not fully comport with the rules governing answers that are set forth in 40 C.F.R. Part 22 (“Rules”). The Response, while asserting a few general defenses, did not otherwise clearly admit, deny, deny for lack of knowledge, or otherwise explain each paragraph of the Complaint that alleges a fact or facts. I therefore ordered Respondent to submit an Answer that complied with the Rules no later than April 5, 2024. *See* Order for Resp’t to File Answer at 2 (Mar. 13, 2024); 40 C.F.R. § 22.15. I also cautioned Respondent *“THAT FAILURE TO TIMELY COMPLY WITH THIS ORDER MAY RESULT IN THE ENTRY OF DEFAULT JUDGMENT AGAINST IT.”* Order for Resp’t to File Answer at 2.

Under the Rules, “[a] party may be found to be in default: after motion, upon failure to file a timely answer to the complaint; upon failure to comply with the information exchange requirements of § 22.19(a) or an order of the Presiding Officer; or upon failure to appear at a conference or hearing.” 40 C.F.R. § 22.17(a). “Default by respondent constitutes, for purposes of the pending proceeding only, an admission of all facts alleged in the complaint and a waiver of respondent’s right to contest such factual allegations.” *Id.* In the event of default, this Tribunal “shall issue a default order against the defaulting party as to any or all parts of the proceeding unless the record shows good cause why a default order should not be issued,” and “[t]he relief proposed in the complaint . . . shall be ordered unless the requested relief is clearly inconsistent with the record of the proceeding or the Act.” 40 C.F.R. § 22.17(c).

To date, Respondent has not complied with the Order for Respondent to File Answer, requested an extension of the deadline to comply, or otherwise communicated with this Tribunal. Accordingly, Respondent is **ORDERED** to file and serve a document, on or before **April 29, 2024**, showing cause as to why it failed to file an Answer as directed by the Order for Respondent to File Answer and why a default order should not be entered against it. Respondent shall file, and serve on Complainant, its Answer with its response to this Order.

SO ORDERED.




Christine Donelian Coughlin
Administrative Law Judge

Dated: April 15, 2024
Washington, D.C.

In the Matter of *Frontline Group LLC*, Respondent.
Docket No. FIFRA-09-2023-0096

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order for Respondent to Show Cause**, dated April 15, 2024, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.



Mary Angeles
Paralegal Specialist

Copy by OALJ E-Filing System to:

U.S. Environmental Protection Agency
Office of Administrative Law Judges
<https://yosemite.epa.gov/OA/EAB/EAB-ALJ Upload.nsf>

Copy by Electronic and Regular Mail to:

Catherine Schluter
Assistant Regional Counsel
Office of Regional Counsel (ORC-2-1)
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105
Email: schluter.catherine@epa.gov
Counsel For Complainant

Copy by Electronic, Regular, and Certified Mail to:

Brad Gooden
Owner, Frontline Group LLC
4510 Bridgeway Avenue
Columbus, OH 43219
Email: bjgooden@outlook.com
Certified Return Receipt No.: 7020-2450-0001-1295-0222
For Respondent

Dated: April 15, 2024
Washington, D.C.