



BRAUN KENDRICK
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February 13, 2013

Regional Hearing Clerk (E-19J)
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Re: Mathie Energy Supply Company, Inc.
Docket Number: FIFRA-05-2012-0022

Dear Sir/Madam:

Enclosed please find an original and one copy of Respondent's *Motion for Extension of Time and Proof of Service* submitted on behalf of the Respondent in the above-referenced matter.

Please contact me if you have any questions or comments.

Very truly yours,

BRAUN KENDRICK FINKBEINER P.L.C.


JOHN A. DECKER

JAD/mjl
Enclosures

cc: Mark J. Koller (via email and regular mail)
Ann L. Coyle (via email and regular mail)

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(S1030938.DOC.2)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:

Mathie Energy Supply Company, Inc.
Morrice, Michigan,

Respondent.

Docket No. FIFRA-05-2012-0022

Proceeding to Assess a Civil Penalty Under
Section 14(a) of the Federal Insecticide,
Fungicide, and Rodenticide Act, 7 U.S.C.
§136l(a)

Mark J. Koller (C-14J)
Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

BRAUN KENDRICK FINKBEINER P.L.C.
By: John A. Decker (P31078)
Attorneys for Respondent,
Mathie Energy Supply Company, Inc.
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Saginaw, MI 48603
Phone: 989-498-2100
Fax: 989-799-4666

MOTION FOR EXTENSION OF TIME

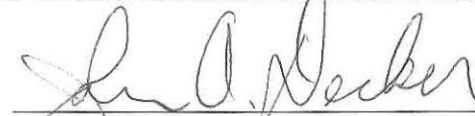
Respondent, Mathie Energy Supply Company, Inc., by its attorneys, requests an extension of time to file this Answer to Complainant's Complaint for a period of 30 days, or until March 13, 2013. Respondent states that the parties are still engaged in resolution discussions, that additional information has been requested by the EPA, and additional time is still necessary in order for this financial information to be analyzed. Complainant does not oppose this request for extension of time. (Exhibit A).

WHEREFORE, Respondent respectfully requests that the deadline for filing an answer to the First Amended Complaint be extended to March 13, 2013.

Respectfully submitted this 13th day of February, 2013.

BRAUN KENDRICK FINKBEINER P.L.C.

By:



JOHN A. DECKER (P31078)
Attorney for Respondent

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Mary Jo Leary

From: Koller.Mark@epamail.epa.gov
Sent: Wednesday, February 13, 2013 1:32 PM
To: Mary Jo Leary
Subject: Fw: Mathie extension

----- Forwarded by Mark Koller/R5/USEPA/US on 02/13/2013 12:31 PM -----

From: Mark Koller/R5/USEPA/US
To: johdec@braunkendrick.com,
Cc: Robert Peachey/R5/USEPA/US@EPA
Date: 02/07/2013 10:34 AM
Subject: Mathie extension

John,

As we discussed this morning, EPA does not oppose an additional 30-day extension beyond what has already been granted in order for the Mathies to gather and provide additional financial information. EPA is retaining the services of a contract financial expert who will then review all of the financial information in order to determine the Respondent's ability to pay a penalty. Feel free to attach this email to your motion.

Mark J. Koller
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REGION 5

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