

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF:)

Spring Lake Gardens, Inc.,)

Respondent.)

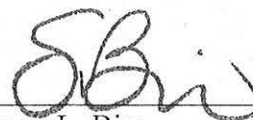
) Docket No. FIFRA-04-2009-3027

ORDER GRANTING MOTION FOR EXTENSION OF TIME

A Prehearing Order was issued in this matter directing the parties to file prehearing exchanges or a Consent Agreement and Final Order (CAFO). By unopposed motion submitted December 11, 2009, Complainant requested until January 19, 2010 to file the CAFO, and requested that the deadlines for the prehearing exchanges also be extended by one month, on grounds that the parties have reached a settlement in principle of this matter. The motion was granted by order dated December 11, 2009. On January 5, 2010, Complainant submitted a Motion for Additional Time to File Consent Agreement and Final Order and Prehearing Exchanges, requesting an additional two weeks to file the CAFO or prehearing exchanges.

The Motion states that on December 18, 2009, Complainant sent the CAFO to Respondent, but delivery was unsuccessful, which Complainant's counsel learned on January 5. The Motion states further that Respondent provided an alternative address, informed Complainant that Respondent would be out of town the week of January 5, and does not object to the Motion. The Motion requests additional time, until February 2, 2010, to obtain the necessary signatures and file the CAFO.

The Motion is hereby **GRANTED**. Good cause exists for the granting of the Motion in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than litigate the matter to conclusion. In that a hearing in this case has not been scheduled, no prejudice will result from a brief delay. Accordingly, Complainant shall file the fully executed Consent Agreement and Consent Order (CAFO) or its Initial Prehearing Exchange, on or before **February 2, 2010**. If the CAFO is not yet filed beforehand, the Respondent shall file its Prehearing Exchange on or before **February 23, 2010**, and Complainant shall file its Rebuttal Prehearing Exchange by **March 9, 2010**.



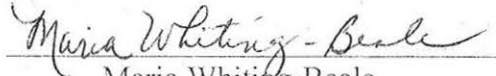
Susan L. Biro
Chief Administrative Law Judge

Date: January 13, 2010
Washington, D.C.

In the Matter of Spring Lake Gardens, Inc., Animal Care, Inc., Respondent
Docket No. FIFRA-04-2009-3027

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Motion For Extension Of Time**, dated January 13, 2010, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: January 13, 2010

Original And One Copy By Pouch Mail To:

Patricia Bullock
Regional Hearing Clerk
U.S. EPA
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Copy By Pouch Mail To:

Michiko Kono, Esquire
Associate Regional Counsel
U.S. EPA
Atlanta Federal Center
61 Forsyth Street, , SW
Atlanta, GA 30303-8960

Copy By Regular Mail To:

Mr. Timothy Lowder
Spring Lake Gardens, Inc.
33463 Old Salisbury Road
Albermarle, NC 28001