Hugh H. Mo Franklin K. Chiu THE LAW FIRM OF HUGH H. MO, P.C. 225 Broadway, Suite 2702 New York, New York 10007 (212) 385-1500 Attorneys for Respondent Hong Kong Supermarket, Inc.



In the Matter of

Hong Kong Supermarket, Inc.,

Respondent,

Respondent,

Proceeding Under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended

X

Doc 100. FIF FA-02-207-5207

ANSWER TO
COMPLAINT AND
REQUEST FOR A
HEARING

HEARING

Respondent Hong Kong Supermarket, Inc., ("Respondent"), by its attorneys, The Law Firm of Hugh H. Mo, P.C., as and for its Answer to Complainant, Director of the Division of Enforcement and Compliance Assistance, states as follows:

- 1. Denies the allegations contained in paragraphs 8, 10, 11, 12, and 15.
- 2. Denies the allegations contained in paragraphs 34, 36, 48, and 50, and refers all questions of law to a determination by the hearing officer(s).
- 3. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 19, 20, 21, 25, 26, 27, 28, 31, 40, 41, and 42.
- 4. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 1, 2, 5, 6, 7, 9, 13, 14, 16, 17, 18, 24, 29, 30, 32, 33, 35, 39, 43, 44, 45, 46, 47, and 49, and refers all questions of law to a determination by the hearing officer(s).

- 5. Denies the allegations contained in paragraph 1, except admit that Respondent is a domestic corporation in the State of New York.
  - 6. Admits the allegations of paragraph 3.
- 7. As and for an answer to paragraphs 22 and 37, Respondent repeats and reiterates each and every answer to each and every one of the foregoing allegations herein, as if specifically set forth at length herein.

## **AFFIRMATIVE DEFENSES**

## FIRST AFFIRMATIVE DEFENSE

8. All or part of Complainant's claims may be barred by the applicable statute of limitations or by laches.

#### **SECOND AFFIRMATIVE DEFENSE**

9. The Complaint fails to state a cause of action upon which relief can be granted.

# THIRD AFFIRMATIVE DEFENSE

10. The Plaintiff's Complaint fails to state the bases of the causes of action contained therein with sufficient particularity and specificity.

## FOURTH AFFIRMATIVE DEFENSE

attorneys' tees, costs and disbursements together with such other and further relief as is deemed necessary and just.

Dated: New York, New York June 15, 2012

ГНЕ ЈАЖ FIRM OF HUGH H. MO, P.C.

By Franklin K. Chiu, Esq.

Attorneys for Respondent

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