



Reinhart Boerner Van Deuren s.c.
P.O. Box 2965
Milwaukee, WI 53201-2965

1000 North Water Street
Suite 1700
Milwaukee, WI 53202

Telephone: 414-298-1000
Facsimile: 414-298-8097
Toll Free: 800-553-6215
reinhartlaw.com

August 3, 2010

DELIVERED BY COURIER

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

RECEIVED
AUG 04 2010

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

Dear Regional Hearing Clerk:

Re: *In the Matter of Liphatech, Inc.*
Docket No. FIFRA-05-2010-0016

On behalf of Respondent, Liphatech, Inc., I enclose for filing an original and two copies of Liphatech's Response to Complainant's Request For Voluntary Production of Financial Information.

Please file-stamp one of the enclosed copies of the Response and kindly return it to me in the enclosed postage prepaid envelope.

Yours very truly,

Michael H. Simpson

REINHART4047375LNR:JES

Encs.

cc Mr. Carl Tanner (w/enc.)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:) **Docket No. FIFRA-05-2010-0016**
)
Liphatech, Inc.) **RESPONSE OF LIPHATECH, INC.**
Milwaukee, Wisconsin,) **TO COMPLAINANT'S REQUEST**
) **FOR VOLUNTARY PRODUCTION**
Respondent.) **OF FINANCIAL INFORMATION**
)
)
)

In response to the Complainant's Request for Voluntary Production of Financial Information dated July 21, 2010 (the "Request"), Respondent Liphatech, Inc. states that it does not intend to take the position that it is unable to pay the proposed penalty or that payment will adversely affect its ability to continue in business. Therefore, the Request is moot.

Dated this 3rd day of August, 2010.

Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 1700
Milwaukee, WI 53202
Telephone: 414-298-1000
Facsimile: 414-298-8097

Mailing Address:
P.O. Box 2965
Milwaukee, WI 53201-2965


Michael H. Simpson
WI State Bar ID No. 1014363
msimpson@reinhartlaw.com
Jeffrey P. Clark
WI State Bar ID No. 1009316
jclark@reinhartlaw.com
Lucas N. Roe
WI State Bar ID No. 1069233
lroe@reinhartlaw.com
Attorneys for Respondent Liphatech, Inc.

RECEIVED
AUG 04 2010
REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:) **Docket No. FIFRA-05-2010-0016**
)
Liphatech, Inc.) **RESPONSE OF LIPHATECH, INC.**
Milwaukee, Wisconsin,) **TO COMPLAINANT'S REQUEST**
) **FOR VOLUNTARY PRODUCTION**
Respondent.) **OF FINANCIAL INFORMATION**
)
)
_____)

In response to the Complainant's Request for Voluntary Production of Financial Information dated July 21, 2010 (the "Request"), Respondent Liphatech, Inc. states that it does not intend to take the position that it is unable to pay the proposed penalty or that payment will adversely affect its ability to continue in business. Therefore, the Request is moot.

Dated this 3rd day of August, 2010.

Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 1700
Milwaukee, WI 53202
Telephone: 414-298-1000
Facsimile: 414-298-8097

Mailing Address:
P.O. Box 2965
Milwaukee, WI 53201-2965


Michael H. Simpson
WI State Bar ID No. 1014363
msimpson@reinhartlaw.com
Jeffrey P. Clark
WI State Bar ID No. 1009316
jclark@reinhartlaw.com
Lucas N. Roe
WI State Bar ID No. 1069233
lroe@reinhartlaw.com
Attorneys for Respondent Liphatech, Inc.

RECEIVED
AUG 04 2010

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

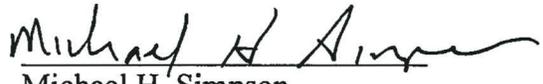
In the Matter of:) Docket No. FIFRA-05-2010-0016
)
Liphatech, Inc.) RESPONSE OF LIPHATECH, INC.
Milwaukee, Wisconsin,) TO COMPLAINANT'S REQUEST
) FOR VOLUNTARY PRODUCTION
Respondent.) OF FINANCIAL INFORMATION
)
)
_____)

In response to the Complainant's Request for Voluntary Production of Financial Information dated July 21, 2010 (the "Request"), Respondent Liphatech, Inc. states that it does not intend to take the position that it is unable to pay the proposed penalty or that payment will adversely affect its ability to continue in business. Therefore, the Request is moot.

Dated this 3rd day of August, 2010.

Reinhart Boerner Van Deuren s.c.
1000 North Water Street, Suite 1700
Milwaukee, WI 53202
Telephone: 414-298-1000
Facsimile: 414-298-8097

Mailing Address:
P.O. Box 2965
Milwaukee, WI 53201-2965



Michael H. Simpson
WI State Bar ID No. 1014363
msimpson@reinhartlaw.com
Jeffrey P. Clark
WI State Bar ID No. 1009316
jclark@reinhartlaw.com
Lucas N. Roe
WI State Bar ID No. 1069233
lroe@reinhartlaw.com
Attorneys for Respondent Liphatech, Inc.

RECEIVED
AUG 04 2010

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

Answer Docket No. FIFRA-05-2010-0016
In the Matter of Liphatech, Inc.

CERTIFICATE OF SERVICE

I, Michael H. Simpson, counsel for the Respondent, Liphatech, Inc., hereby certify that I delivered one copy of the foregoing Response of Liphatech, Inc. to Complainant's Request for Voluntary Production of Financial Information, Docket Number FIFRA-05-2010-0016, to the persons designated below, by depositing it with a commercial delivery service, postage prepaid, at Milwaukee, Wisconsin, in envelopes addressed to:

Honorable Barbara A. Gunning
Administrative Law Judge
Office of the Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-2001; and

Ms. Nidhi K. O'Meara (C-14J)
Office of Regional Counsel
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, IL 60604

RECEIVED
AUG 04 2010
REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

I further certify that I filed the originals of the Response and this Certificate of Service in the Office of the Regional Hearing Clerk, U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, by depositing them with a commercial delivery service, postage prepaid, at Milwaukee, Wisconsin, on the date below.

Dated this 3rd day of August, 2010.



Michael H. Simpson
Attorney for Respondent Liphatech, Inc.