

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

**IN THE MATTER OF**

**Emrich Aerial Spraying LLC,**

**Respondent.**

)  
) **Docket No. FIFRA-07-2022-0133**  
)  
)  
) **SECOND MOTION FOR**  
) **EXTENSION OF**  
) **TIME TO FILE PREHEARING**  
) **EXCHANGE AND/OR A CONSENT**  
) **AGREEMENT AND FINAL ORDER**

Complainant U.S. Environmental Protection Agency ("EPA") hereby respectfully submits the following Second Motion for Extension of Time to File Complainant's Rebuttal Prehearing Exchange and/or a Consent Agreement and Final Order (CAFO).

1. On November 13, 2023, this Court ordered that a fully-executed CAFO shall be filed on or before December 11, 2023.
2. The parties have a settlement in principle.
3. Complainant requests that the deadline for a CAFO be extended two weeks, to December 25, 2023.
4. Complainant communicated its intention to file this motion to Respondent and Respondent has no objection.

RESPECTFULLY SUBMITTED this 11<sup>th</sup> day of December, 2023.

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For the Complainant  
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CERTIFICATE OF SERVICE

I certify that the foregoing Second Motion for Extension of Time to File Complainant's Rebuttal Prehearing Exchange and/or a Consent Agreement and Final Order, Docket No. FIFRA-07-2022-0133, has been submitted electronically using the OALJ E-Filing System.

A copy was sent by email to Tiernan Siems, counsel for Respondent, at *tsiem@eslaw.com*.

Date: December 11, 2023

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