

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CALIFORNIA 94105

** FILED **

03JAN2017 - 02:06PM

U.S.EPA - Region 09

In the Matter of:)

) Docket No. FIFRA-09-2017-0001

Syngenta Seeds, LLC)
d/b/a Syngenta Hawaii, LLC)

) RESPONDENT'S UNOPPOSED
) MOTION FOR EXTENSION
) OF TIME TO FILE ITS ANSWER

Respondent.)
_____)

Respondent Syngenta Seeds, LLC, through its undersigned counsel, hereby respectfully requests an extension of time of thirty (30) days to file its Answer to the Complaint. Counsel for Respondent has consulted with EPA Counsel Christina Cobb who does not oppose the relief requested herein. In support of its motion, Respondent states as follows:

1. On December 14, 2016, Complainant filed its Complaint in this case.
2. On December 19, 2016, Respondent received a copy of the Complaint via certified mail at Respondent's headquarters address in Minnetonka, Minnesota.
3. Under 40 CFR Part 22, The Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits (CROP), Respondent's Answer to the Complaint would be due January 23, 2017. *See* 40 CFR §§ 22.15(a), and 22.7(a) and (c).
4. On December 22, 2016, Jon Jacobs, Counsel for Respondents, conferred with Christina Cobb, Counsel for Complainant, regarding an extension of time for Respondent to file its Answer to the Complaint. Counsel for Plaintiff stated that she would not oppose Respondent's request to enlarge the

time for filing the Answer by thirty (30) days. The motion is timely and well in advance of the due date, for good cause, and does not prejudice Complainant. *See* 40 CFR § 22.7(b).

5. The relief requested herein is for good cause and will not result in undue delay in the administration of this case. The Complaint raises complex issues of law. An enlargement of time for filing Respondent's Answer is necessary due to Counsel's and Client's long-planned international travel and EPA's response to a pending FOIA request that is expected to provide records that will help determine the scope and nature of Respondent's Answer.

6. No other enlargements of time have been previously requested in this case. No dates have been set for a pre-hearing conference or hearing.

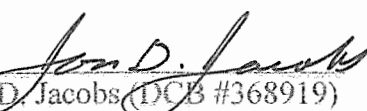
7. Since the Complaint was not served by overnight or same-day delivery, 5 days shall be added to the time allowed the Respondent to file its Answer. 40 CFR § 22.7(c). The Complaint was served on Dec. 19, 2016. Adding 5 days to respond, as provided for in 40 CFR § 22.7(c), results in the Answer due on January 23, 2017. A 30-day extension to that due date is: Feb. 22, 2017.

IN WITNESS WHEREOF, Respondent respectfully moves the Presiding Officer to extend the time for Respondent to file its Answer to the Complaint to **February 22, 2017**.

Dated: December 23, 2017

Respectfully submitted,

Jacobs Stotsky PLLC

BY: 
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CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing RESPONDENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ITS ANSWER along with a PROPOSED ORDER was placed in the United States Postal Service, pre-paid first-class mail, and addressed to the following:

Regional Hearing Clerk
U.S. EPA, Region IX
75 Hawthorne St.
San Francisco, CA 94105

And

Christina Cobb, Esq.
Attorney-Advisor
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W. (MC: 2843)
Washington, D.C. 20460

DATE: December 23, 2016

BY:


Jon D. Jacobs