## UNITED STATES <br> ENVIRONMENTAL PROTECTION AGENCY

## BEFORE THE ADMINISTRATOR

In the Matter of ,

DIATECT INTERNATIONAL CORP., )
DOCKET NO. FIFRA-08-2008-0029
)

Respondent )

REPORT RECOMMENDING CONTINUATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Chief Administrative Law Judge's Order of December 1, 2008 provides that this alternative dispute resolution (ADR) process terminates January 30, 2009. The recommendation of this Report is that the ADR process be continued for one month, to February 28, 2009.

This continuation of the ADR process is recommended because the parties' negotiations are ongoing. In a conference call on January 22, 2009, the parties requested an extension of the ADR process. ${ }^{1}$ The undersigned will continue to serve as a Neutral in this case and will file another report with the Chief Administrative Law Judge by February 28, 2009 unless otherwise directed by her.


Barbara A. Gunning Administrative Law Judge

Dated: January 22, 2009

Approved:

$$
\begin{aligned}
& \text { Susan L. Biro } \\
& \text { Chief Administrative Law Judge }
\end{aligned}
$$

Dated: $\qquad$

[^0]In the ADR Matter of Diatect International Corp., Respondent.
Docket No. FIFRA-08-2008-0029

## CERTIFICATE OF SERVICE

I certify that the foregoing Report Recommending Continuation of Alternative Dispute
Resolution Process, dated January 22, 2009, was sent this day in the following manner to the addressees listed below.


Original and One Copy by Pouch Mail to:
Tina Artemis
Regional Hearing Clerk
U.S. EPA / Region VIII

1595 Wynkoop Street
Denver, CO 80202-1129

One Copy by Pouch Mail to:
Eduardo Quintana, Esq.
Enforcement Attorney (8ENF-L)
U.S. EPA, Region VIII

1595 Wynkoop Street
Denver, CO 80202-1129
One Copy by Regular Mail to:
Randy B. Birch, Esq.
Bostwick \& Price, PC
139. E. South Temple, Ste. 320

Salt Lake City, UT 841.11

Dated: January 22, 2008
Washington, D.C.


[^0]:    ${ }^{1}$ Another conference call is scheduled for February 23, 2009.

