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August 2, 2018

ALJ Christine Donelian Coughlin  
U.S. Environmental Protection Agency (Washington)  
Office of the Administrative Law Judges  
1200 Pennsylvania Ave, NW  
Mail Code 1900R  
Washington, DC 20460

**RE: In the Matter of Birds Eye Foods, LLC**  
**Docket Nos. MM-05-2018-0002, CERCLA-05-2018-0005, EPCRA-05-2018-0009**

Dear ALJ Coughlin:

Please be advised that the Respondent, Birds Eye Foods, LLC, does not object to Complainant's Motion For A Court Ruling That The Answer Does Not Constitute A Motion To Dismiss The Complaint in the above-referenced matter.

Thank you.

Very truly yours,

**LAW FIRM OF CONWAY, OLEJNICZAK & JERRY, S.C.**

By: 

Jodi Arndt Labs

JAL:c11 (441723.070-#2906103)

c: Attorney Jeffery M. Trevino  
Birds Eye Foods

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