**FILED**

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX

IN THE MATTER OF            )
                            )        U.S. EPA Docket No.
                            )        FIFRA-09-2012-0006
Fry's Electronics, Inc.,    )
Respondent.                 )
_____)

## ORDER GRANTING RESPONDENT'S UNOPPOSED SECOND MOTION FOR EXTENSION OF TIME TO FILE ANSWER
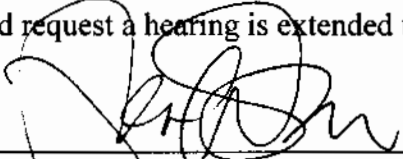
By motion filed November 20, 2012, Respondent, Fry's Electronics, Inc. seeks an extension of time, up to and including December 28, 2012, to file an Answer to the Complaint. Complainant's counsel does not object to Respondent's proposed extension of time to file an Answer.

Consolidated Rules of Practice, 40 C.F.R. § 22.07(b), provides that a motion for extension of time may be granted "for good cause shown, and after consideration of prejudice to other parties."

On the basis of Respondent's motion, it appears that good cause exists for the second extension of time, and there will be no prejudice to either party from granting the requested extension.

IT IS THEREFORE ORDERED THAT:

The time for Respondent to answer the Complaint and request a hearing is extended to and including December 28, 2012.

Dated: November 28, 2012

Jo Ann Asami
Acting Regional Judicial Officer

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## CERTIFICATE OF SERVICE

I certify that the original of the fully executed Order Granting Respondent's Second Motion for Extention of Time in the matter of Fry's Electronics (**Docket #s: FIFRA-09-2012-0006**) was filed with the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was sent to the following parties:

A copy was mailed via CERTIFIED MAIL to:

> Alexis J. Curotto, Esq.
> Fry's Electronics, Inc.
> 600 E. Brokaw Road
> San Jose, CA 95112

**CERTIFIED MAIL NUMBER:**  7010 1060 0002 0242 7815

And additional copy was hand-delivered to the following U.S. EPA case attorney:

> Edgar Coral, Esq.
> Office of Regional Counsel
> U.S. EPA, Region IX
> 75 Hawthorne Street
> San Francisco, CA 94105

_____          ___11/28/12___

Bryan K. Goodwin                                          Date
Regional Hearing Clerk
U.S. EPA, Region IX