

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:)	Docket No.
)	
Frank Ousley, d/b/a/ Frank's Flying Service, Morrison, Illinois,)	Proceeding to Assess a Civil Penalty Under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. § 136l(a)
Respondent.)	
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STATUS REPORT

Complainant hereby submits its Status Report to the Court pursuant to its Notice of Hearing and Scheduling Order, dated January 30, 2015.

1. On Thursday, February 5, 2015, the parties agreed to a settlement-in-principle to resolve the action without resort to the hearing scheduled for March 18, 2015, in Morrison, Illinois.
2. However, the parties know the deadlines of the Notice of Hearing and Scheduling Order, dated January 30, 2015, remain.
3. Therefore, Complainant will file by February 20, 2015, its Motion to Supplement its Prehearing Exchange to update its current evidence pursuant to the Order of the Court and 40 C.F.R. §22.19(f).
4. Once Respondent signs and dates a Consent Agreement and Final Order for this action, Complainant will file with the Court a Motion to Postpone the Scheduled Hearing.

Respectfully submitted,

Jeffery M. Trevino

Jeffery M. Trevino
Associate Regional Counsel
Office of Regional Counsel
Region 5
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Tel. No. 312 886-6729
Fac. No. 312 692-2987
trevino.jeffery@epa.gov

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CERTIFICATE OF SERVICE

I, Jeffery M. Trevino, Associate Regional Counsel, Region 5, U.S. Environmental Protection Agency, certify that I filed (electronically) with the Office of Administrative Law Judges for the U.S. Environmental Protection Agency, at its Office of Administrative Law Judges (OALJ) E-Filing System, available at www.epa.gov/oalj, this **STATUS REPORT**.

I further certify that I provided (electronically) to opposing counsel, Thomas W. Daggett, Esq., Daggett Law Firm, 1551 Larimer Street, Suite 1403, Denver, Colorado, 80202, at twdaggett@comcast.net, one copy of this **STATUS REPORT**.

Jeffery M. Trevino

6 February 2015

Jeffery M. Trevino
Associate Regional Counsel

Date