

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

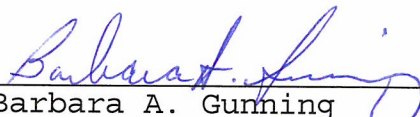
In the Matter of)
)
FMC CORPORATION,) DOCKET NO. FIFRA-03-2015-0248
)
)
)
Respondent)

REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS
AND ASSIGNMENT OF A JUDGE FOR LITIGATION

The Report approved March 31, 2016 provides that this alternative dispute resolution (ADR) process terminates April 29, 2016. The recommendation of this Report is that the ADR process be terminated as scheduled, and that the case be assigned to a Judge for resolution through litigation.

The reason for this recommendation is that the parties, after four months of the ADR process, have not reached a settlement agreement. Accordingly, the case should now be assigned to a Judge to preside over a litigated resolution of this case.

The parties did, however, successfully use the ADR process to negotiate the framework for a possible settlement. They are encouraged to continue their negotiations to try to conclude a settlement agreement. Finally, the undersigned expresses her appreciation to the parties for the courtesy and candor with which they participated in the ADR process.



Barbara A. Gunning
Administrative Law Judge
Dated: April 27, 2016

Approved: _____
Susan L. Biro
Chief Administrative Law Judge

Dated: 4/27/2016

In the Matter of *FMC Corporation*, Respondent.
Docket No. FIFRA-03-2015-0248

Certificate of Service

I hereby certify that copies of the foregoing Report Recommending Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation, issued by Barbara A. Gunning, Senior Administrative Law Judge, on this 27th day of April 2016, were sent to the following in the manner indicated.



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Dated: April 27, 2016
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