



**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

<b>In the Matter of:</b>	)	
	)	
<b>Timothy Wilson, d/b/a</b>	)	<b>Docket No. FIFRA-07-2023-0135</b>
<b>Wilson's Pest Control,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER ON COMPLAINANT'S MOTION TO SUPPLEMENT**

By Order dated November 12, 2024, I scheduled the hearing in this matter to commence on February 25, 2025, and set a number of prehearing deadlines, including December 27, 2024, as the deadline by which the parties could supplement their prehearing exchanges without motion. Thereafter, on January 28, 2025, Complainant, the Director of the Enforcement and Compliance Assurance Division of Region 7 of the United States Environmental Protection Agency ("EPA"), filed a Motion to Supplement Complainant's Prehearing Exchange ("Motion to Supplement"), seeking leave to supplement its prehearing exchange with three additional proposed exhibits, identified as CX 30-32 and consisting of the approved master pesticide labels for three pesticide products at issue in this proceeding.

As noted by Complainant in its Motion to Supplement, the procedural rules governing this proceeding address the supplementation of a party's prehearing exchange as follows:

A party who has made an information exchange under paragraph (a) of this section . . . shall promptly supplement or correct the exchange when the party learns that the information exchanged . . . is incomplete, inaccurate or outdated, and the additional or corrective information has not otherwise been disclosed to the other party pursuant to this section.

40 C.F.R. § 22.19(f).

Here, Complainant does not offer an explanation for its request to supplement its prehearing exchange at this stage of the proceeding. However, Complainant argues that the supplementation will not cause any unreasonable delay or undue burden to Respondent. Complainant also represents that it communicated its intention to move to supplement its prehearing exchange to Respondent, including providing a copy of the additional proposed exhibits, a few days in advance of filing the Motion to Supplement, and that Respondent did not

communicate any objection.<sup>1</sup> Given the absence of any objection, Complainant's Motion to Supplement is hereby **GRANTED**.

**SO ORDERED.**



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Susan L. Biro  
Chief Administrative Law Judge

Dated: February 5, 2025  
Washington, D.C.

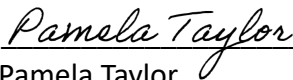
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<sup>1</sup> During a prehearing conference held on February 3, 2025, Respondent's counsel confirmed to a staff attorney for this Tribunal that Respondent has no objection to the Motion to Supplement.

In the Matter of Timothy Wilson, d/b/a Wilson's Pest Control, Respondent  
Docket No. FIFRA-07-2023-0135

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Order on Complainant's Motion to Supplement, dated February 5, 2025, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.

  
\_\_\_\_\_  
Pamela Taylor  
Paralegal Specialist

**Copy by OALJ E-Filing System to:**

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Office of Administrative Law Judges  
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Dated: February 5, 2025  
Washington, D.C.