

UNITED STATES OF AMERICA
BEFORE THE FOOD AND DRUG ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

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In the Matter of:)
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Enrofloxacin for Poultry: Withdrawal)
Of Approval of New Animal Drug Application)
NADA 140-828)
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_____)

FDA DOCKET: 00N-1571
DATE: April 16, 2002

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Center for Veterinary Medicine's Request for Leave to File Responses to Bayer Corporation's Motion to Amend Schedule of Due Dates and Objections to CVM's 12.85 Submission and Motion to Compel Additional Submissions

On April 15, 2002, Bayer Corporation (Bayer) filed three separate Motions:

1) Motion to Reformulate Issues for Hearing; 2) Motion to Amend Schedule of Due Dates; and, 3) Objections to CVM's 12.85 Submission and Motion to Compel Additional Submissions. The April 10, 2002, Scheduling Order issued by the Administrative Law Judge anticipated the first Motion, and set a time for the Center of Veterinary Medicine's (CVM) Response. CVM fully intends to respond to Bayer's Motion to Reformulate Issues for Hearing on or before April 22, 2002, as required by the April 10, 2002, Scheduling Order. However, because there is no such time set for response to additional Motions, CVM is requesting leave to respond to the remaining Motions by April 29, 2002 and requests that no ruling on Bayer's Motion to Amend Schedule of Due Dates or

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Objections to CVM's 12.85 Submission and Motion to Compel Additional Submissions
be made until CVM has had the opportunity to respond to these Motions.

Submitted on this 16th day of April, 2002 by:



Nadine Steinberg
Counsel for the Center for
Veterinary Medicine
5600 Fishers Lane (GCF-1)
Rockville, MD 20857
(301) 827-5050

CERTIFICATE OF SERVICE

I hereby certify that an original and two copies of the foregoing Center for Veterinary Medicine's Motion for Leave to Respond to Bayer Corporation's Motions to Amend Schedule of Due Dates and Objections to CVM's 12.85 Submission and Motion to Compel Additional Submissions were hand delivered this 16th day of April, 2002, to:

Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane (Room 1061)
Rockville, MD 20852

and

The Office of the Administrative Law Judge
Food and Drug Administration
Room 9-57, HF-3
5600 Fishers Lane
Rockville, MD 20857

I also certify that the foregoing Motion was e-mailed and also mailed, postage prepaid, this 16th day of April, 2002, to:

Robert B. Nicholas
McDermott, Will & Emery
600 13th Street, NW
Washington, DC 20005

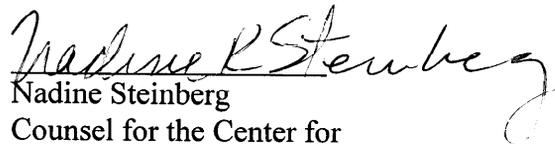
and

Kent D. McClure
Animal Health Institute
1325 G Street, NW, Suite 700
Washington, DC 20005

I also certify that the foregoing Motion was mailed, postage prepaid, this 16th day of April, 2002, to:

Brian Jensen
Royal Danish Embassy
Food, Agriculture and Fisheries Division
3200 Whitehaven Street, N.W.
Washington, DC 20008

Dated: 4/16/07



Nadine Steinberg
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