

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of)	
)	
)	
LEACHCO, INC.)	CPSC DOCKET NO. 22-1
)	
)	Hon. Michael G. Young
)	Presiding Officer
Respondent.)	
)	

**DECLARATION OF MICHAEL J. ROGAL IN SUPPORT OF COMPLAINT
COUNSEL’S MOTION FOR PARTIAL SUMMARY DECISION**

I, Michael J. Rogal, hereby declare:

1. I am one of the attorneys for Complaint Counsel in the above-captioned matter.
2. I am over the age of 18 and I am competent to make this Declaration.
3. This Declaration is based on my personal knowledge.
4. Attached to this Declaration as Exhibit 1 is a true and correct copy of excerpts from the deposition of Jamie Leach dated March 1, 2023.
5. Attached to this Declaration as Exhibit 2 is a true and correct copy of excerpts from the deposition of Alex Leach dated February 15, 2023.
6. Attached to this Declaration as Exhibit 3 is a true and correct copy of a Leachco Organizational Chart, May 11, 2022, which was produced by Respondent Leachco, Inc. (“Leachco”) as Leachco-CPSC-000002.
7. Attached to this Declaration as Exhibit 4 is a true and correct copy of excerpts from the deposition of Clyde Leach, February 28, 2023.


8. Attached to this Declaration as Exhibit 5 is a true and correct copy of Leachco's Responses to CPSC's First Set of Interrogatories, May 13, 2022.
9. Attached to this Declaration as Exhibit 6 is a true and correct copy of a publicly available Leachco website excerpt, February 7, 2023 for www.leachco.com/collections/leachco-catalog.
10. Attached to this Declaration as Exhibit 7 is a true and correct copy of Leachco's Objections and Responses to CPSC's Second Set of Requests for Admission, November 30, 2022.
11. Attached to this Declaration as Exhibit 8 is a true and correct copy of excerpts from the deposition of Tonya Barrett, February 1, 2023.
12. Attached to this Declaration as Exhibit 9 is a true and correct copy of the Clyde Leach Deposition Exhibit 3. This document was produced by Leachco as LC-88-167.
13. Attached to this Declaration as Exhibit 10 is a true and correct copy of the Expert Testimony of Celestine Kish, May 2, 2023.
14. Attached to this Declaration as Exhibit 11 is a true and correct copy of Leachco's Second Supplemental Response to CPSC Request for Admission Nos. 3, 4, & 5, March 13, 2023.
15. Attached to this Declaration as Exhibit 12 is a true and correct copy of Expert Testimony of Peggy Shibata, April 28, 2023.
16. Attached to this Declaration as Exhibit 13 is a true and correct copy of Expert Testimony of Umakanth Katwa, April 28, 2023.
17. Attached to this Declaration as Exhibit 14 is a true and correct copy of excerpts from the deposition of Mabry Ballard, January 31, 2023.

18. Attached to this Declaration as Exhibit 15 is a true and correct copy of Clyde Leach Deposition Exhibit 10. This document was produced by Leachco as LEACHCO2RFP002994.

19. Attached to this Declaration as Exhibit 16 is a true and correct copy of excerpts from the deposition of Leah Barnes, February 16, 2023, including Exhibits 9 and 11 to the deposition. Leah Barnes Deposition Exhibit 9 was produced by Leachco as LEACHCO2RFP005092. Leah Barnes Deposition Exhibit 11 was produced by Leachco as Leachco – CPSC – 000700.

I declare that the foregoing is true and correct.

Dated this 9th day of June, 2023

A handwritten signature in cursive script that reads "Michael J. Rogal". The signature is written in dark ink and is positioned above a horizontal line.

Michael J. Rogal, Trial Attorney

**Exhibit 1 to the Rogal
Declaration
(filed in camera)**

**Exhibit 2 to the Rogal
Declaration
(filed in camera)**

**Exhibit 3 to the Rogal
Declaration
(filed in camera)**

**Exhibit 4 to the Rogal
Declaration
(filed in camera)**

**Exhibit 5 to the Rogal
Declaration**

**UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION**

In the Matter of

LEACHCO, INC.

Respondent.

CPSC DOCKET NO. 22-1

**RESPONDENT LEACHCO, INC.'S OBJECTIONS AND RESPONSES TO COMPLAINT
COUNSEL'S FIRST SET OF INTERROGATORIES TO RESPONDENT**

Pursuant to 16 C.F.R. § 1025.32, Respondent Leachco, Inc. ("Leachco") hereby submits the following objections and responses to Complaint Counsel's First Set of Interrogatories to Leachco.

**RESPONSES AND OBJECTIONS TO COMPLAINT COUNSEL'S
INTERROGATORIES**

INTERROGATORY NO. 1

Identify all Persons who assisted in the preparation of, or who provided information or Documents used in the preparation of, the responses to written discovery served by Complaint Counsel in this matter.

RESPONSE:

Objection, this interrogatory calls for information protected by the attorney-client and attorney work product privileges. Subject to and without waiving this objection, Leachco states that these responses were drafted by counsel from information obtained from multiple sources.

INTERROGATORY NO. 2

Identify each Person who possesses, or who you believe possesses, any knowledge relating to the infant suffocation risk or other risks to infants posed by the Podsters, and describe with specificity the knowledge of each Person identified.

RESPONSE:

Objection, this interrogatory is vague, overbroad, argumentative, and assumes facts not established.

Subject to and without waiving these objections, Leachco states that the product has always had warnings on the product, its label, and packaging about the potential risk of suffocation if not properly used, and thus all consumers, the company's officers and employees would be aware of this risk. The number of people potentially called for by this interrogatory makes it unanswerable in its current form.

INTERROGATORY NO. 3

Identify the complete corporate organization of Respondent from founding to the present, including, but not limited to, a detailed listing of its places of incorporation and principal places of business, its officers and directors, and its internal corporate structure. This request includes, but is not limited to, related entities, such as former and current parents and subsidiaries, as well as any entities acquired by or merged with Respondent.

RESPONSE:

Leachco states that it is incorporated in Oklahoma and has its principal place of business is in Ada, Oklahoma. Leachco was founded in 1988 by Clyde and Jamie Leach. Clyde Leach is the President and CEO; Jamie Leach is the Vice President; Stephen Ballard is the Chief Financial Officer, and Alex Leach is the Chief Operating Officer. The company has fewer than 50 full-time employees, including six members of the Leach family, and all of its operations are run out of Ada, Oklahoma.

INTERROGATORY NO. 4

Separately identify all Podsters by: model numbers, names, or the like; total number sold organized by year; dates of manufacture, distribution, and sale; and retail price. Indicate all differences between the different models and whether any model was changed in any way.

RESPONSE:

Leachco will create and produce a spreadsheet for sales of the Podster products. *See also* Leachco's Amended Full Report dated December 11, 2020.

INTERROGATORY NO. 5

Describe in detail the process by which you collected documents and information in response to requests by CPSC staff in CPSC matter nos. PI210002 and CA220007, including, but not limited to, what sources, libraries, or repositories you searched or accessed; whether hard-copy or electronic; whether immediately accessible or in storage; and the results of those searches. If any potential sources, libraries, or repositories of documents or information which may contain responsive information were not searched, provide a detailed explanation of why it was not searched.

RESPONSE:

Objection, this interrogatory seeks information that is not relevant to any claim or defense in this case and is therefore outside the scope of permissible discovery under 16 CFR § 1025.31(c)(1). The request is also overbroad and unduly burdensome, and seeks information protected by the attorney-client and work product privileges.

Subject to and without waiving this objection, Leachco states that with the assistance of counsel, it searched for and produced documents from all known files of the company including its design and patent files, its marketing files, its sales/distribution files, its testing and quality control files, and its customer service files, including all claims by consumers, whether by claim or litigation.

INTERROGATORY NO. 6

Identify each Person whom you expect to call as a witness, whether as an expert or a percipient witness, at the trial or Hearing of this matter, and for each witness, state or provide the following information:

- a) The subject matter on which the witness is expected to testify;
- b) Whether you intend to designate the witness as an expert;
- c) The substance of the opinions, if any, and facts to which the witness is expected to testify; and
- d) A summary of the grounds for each opinion, if any.

RESPONSE:

At this early state of the case, Leachco has not yet identified the witnesses it intends to call at the trial or Hearing of this matter. Leachco will supplement its response to this interrogatory, in accordance with 16 CFR § 1025.31.

INTERROGATORY NO. 7

Identify each Person who participated in the design, development, and manufacture of the Podsters, including any outside parties that Leachco consulted with when designing and developing the Podster. For each Person, indicate the time period of the work and describe the Person's responsibilities, role, and contributions.

RESPONSE:

Objection, overbroad, vague, compound and unduly burdensome. Leachco further objects to requests for information concerning manufacturing, which is not at issue in this case. Subject to and without waiver of these objections, Leachco states that the Podster was designed in 2008 by founder and Leachco Vice President, Jamie Leach, with consultation only in connection with the Patent process.

INTERROGATORY NO. 8

Identify each Person involved in creating, designing, and manufacturing any and all versions or iterations of the packaging, labels, warnings, and instructions that accompanied the Podsters, including any Person with knowledge of changes made at any time to the packaging, labels, warnings, and instructions that accompanied the Podsters. For each Person, indicate the time period of the work, and describe the person's responsibilities, role, and contributions.

RESPONSE:

Objection, overbroad, vague, compound and unduly burdensome and unlimited in time and scope. Leachco further objects to requests for information concerning manufacturing, which is not at issue in this case. Subject to and without waiver of this objection, Leachco states that at all relevant times, Jamie Leach was primarily responsible for the creation and design of the warnings for the Podster, with assistance from Tonya Barrett and Leah Barnes. In addition, the Podster packaging was submitted to independent third-party testing laboratories for their evaluation and approval. See Leachco's testing documents, which were previously produced to the CPSC in connection with its full report request.

INTERROGATORY NO. 9

Identify each Person who participated in the marketing, advertising, and/or promotion of the Podsters, in any form or through any media. For each Person, indicate the time period of the work, and describe the Person's responsibilities, role, and contribution.

RESPONSE:

Objection, this interrogatory is vague, overbroad and unlimited in time and scope. It also seeks irrelevant information, which is outside the scope of 16 CFR § 1025.31.

Subject to and without waiving these objections, Leachco states that the marketing and promotion for the Podster—primarily through Amazon, trade shows and brochures—was overseen by Jamie Leach, with assistance from Leah Barnes (with staff assistance). Leachco did not conduct any print, radio, or television advertising of the Podster.

INTERROGATORY NO. 10

Identify any studies, reports, publications, written evaluations, or materials of any kind that discuss or refer to the infant suffocation risk or other risks to infants posed by the Podsters.

RESPONSE:

Objection, this request is vague as to the type of materials sought and duplicative of Interrogatory No. 2. Subject to and without waiving these objections, Leachco refers to and incorporates by reference its response to Interrogatory No. 2. Further responding, Leachco states that over the years, Jamie Leach has reviewed industry and other materials concerning suffocation risks and other risks related to infants, but does not have specific identifying information about those materials. Further responding, Leachco submitted the Podster to independent third-party testing laboratories, which evaluated the Product and its warnings. See Leachco's testing documents, which were previously produced to the CPSC in connection with its full report request. In addition, Leachco has produced the expert evaluations of the Podster by Dr. Emily Skow, Ph.D. and Dr. Michael Prange, Ph.D., P.E.

INTERROGATORY NO. 11

Identify any studies, reports, publications, written evaluations, or materials of any kind that evaluated the risks, hazards, or safety of the design of the Podsters that Respondent relied on to

develop or revise the Podster's design, materials, finishing, instructions, warnings, packaging materials, or marketing materials, or that Respondent relied on to refrain from making any changes, and explain why the Respondent refrained from relying on those studies, reports, publications, written evaluations, or materials.

RESPONSE:

Objection, this request is vague, overbroad, and unclear or unlimited in time and scope. It also calls for a narrative, which is improper and which is outside the scope of 16 CFR § 1025.31. Further it is duplicative of other requests. Subject to and without waiving these objections, see Leachco's testing documents, which were previously produced to the CPSC in connection with its full report request and refers to and incorporates herein its response to Interrogatory No. 2 and Interrogatory 10.

INTERROGATORY NO. 12

Identify any third-party experts, consultants, or any other person who evaluated the risks, hazards, or safety of the design of the Podsters that Respondent relied on to develop or revise the Podster's design, materials, finishing, instructions, warnings, packaging materials, or marketing materials, and/or that Respondent relied on to refrain from making any changes, and explain why the Respondent refrained from relying on the evaluations of those third party experts, consultants or any other person.

RESPONSE:

Objection, this request is vague, overbroad, and unlimited in time and scope and repetitive of several prior interrogatories. Subject to and without waiving these objections, Leachco refers to and incorporates herein its response to Interrogatories 2 and 10 as well as Leachco's testing documents.

INTERROGATORY NO. 13

Identify by brand name and model any other products examined or considered by any person in relation to the design, development, revision, or manufacture of the Podsters or the packaging, instructions, warnings, or marketing materials for the Podsters.

RESPONSE:

Objection, this request is vague, overbroad, and unlimited in time and scope. It also seeks information not relevant to any claim or defense in this case, which is improper and outside the scope of permissible discovery under 16 CFR § 1025.31. Further, the request seeks information protected by the attorney-client and work product privileges. Subject to these objections, Leachco states that the Podster is patented and was a unique design at the time it was developed. After development, at various times Leachco has reviewed competitor products in the marketplace and considered their design and warnings. No records document or detail the specifics of those reviews.

INTERROGATORY NO. 14

Identify all Tests performed at any time on the Podsters related to the infant suffocation risk, any other potential safety risk, or any safety standard. As part of your response for each Test:

- a) Identify the specific product or products tested;
- b) Describe each Test including the date of the Test and the standard or protocols used;
- c) Identify all Persons who participated in setting up and conducting the Test;
- d) Describe all information, directions, and requests that you or any other Leachco employee provided to the Person conducting the Test;
- e) Describe and explain the results of the Test, including all observations and conclusions;
- f) Identify all Persons who participated in evaluating the test results; and
- g) Describe any changes to the Podsters following each Test.

RESPONSE:

Objection, this request is vague, overbroad, und unlimited in time and scope, and repetitive of many other requests. Subject to and without waiving these objections, *see* Leachco's testing documents, which were previously produced to the CPSC in connection with its full report request. *See also* Expert Evaluations of the Podster by Emily Skow, Ph.D. and Dr. Michael Prange, Ph.D., P.E., previously produced with Leachco's full report.

INTERROGATORY NO. 15

Describe all past and present policies and procedures for Leachco's response to claims, complaints, inquiries, and reports of incidents, injuries, or fatalities, and identify all persons responsible for the development and implementation of such policies and procedures.

RESPONSE:

Objection, this request is vague, overbroad, and unlimited in time and scope. It also calls for a narrative, which is improper and outside the scope of permissible discovery under 16 CFR § 1025.31(c)(1). Additionally, this request calls for information that is protected by the attorney-client and work product privileges.

Subject to and without waiving these objections, Leachco states that its customer service department responds to consumer claims and inquiries by e-mail and/or by phone, gathers information as necessary and documents all complaints, inquiries, and injuries, including all information available. At all relevant times, Jamie Leach, Alex Leach, and Mabry Ballard were responsible for the development and implementation of these policies and procedures.

INTERROGATORY NO. 16

Identify each claim, warranty claim, complaint, inquiry, or report of incidents, injuries, or fatalities involving the Podsters. For each claim, warranty claim, complaint, inquiry, or report of incidents, injuries, or fatalities:

- a) Provide the name, address, telephone number, email address, and any other identifying information of the claimant;
- b) Identify the date Respondent first received verbal or written information concerning the claim, warranty claim, complaint, inquiry, or report;
- c) State the information Respondent received in the claim, warranty claim, complaint, inquiry, or report and how you received it;
- d) State whether you or any other Person acting on behalf of Respondent investigated or took other responsive steps after the initial claim, warranty claim, complaint, inquiry, or report, and if so, identify each person involved in the response and state the date and

description of each investigation or other step, including refunds, replacements, or other remedies;

e) State whether medical attention was sought or received by any Person involved in any claim, warranty claim, complaint, inquiry, or reports;

f) State the age of any Person involved in the incident;

g) Provide all information on the Podster involved, including but not limited to, model, year of manufacture, type of packaging, and warnings; and

h) State the date and location of purchase of the involved product and the identity of the purchaser.

RESPONSE:

Objection, this interrogatory is vague, overbroad, and unlimited in time and scope. Additionally, this request calls for information protected by the attorney-client and work product privileges.

Subject to and without waiving these objections, Leachco previously provided information regarding all “incidents resulting in injuries, near-death occurrences, or fatalities known to the Firm related to the Subject Products,” (as requested by the letter from Kiara Beverly dated November 19, 2020) in its full report to the CPSC. See Dec. 11, 2020 Amended Podster Full Report. Given that all known injuries involving the Podster were the subject of CPSC Epidemiologic Investigation Reports, the consumer information on these incidents is already known by the CPSC and the CPSC has the underlying reports, including any coroner’s reports, police reports and related contemporaneous documentation of the claims related to the incidents.

Further responding, while Leachco provides a limited, 30-day warranty and return policy to the retailers and distributors that sell Podsters to consumers, Leachco does not provide warranties directly to end-users.

INTERROGATORY NO. 17

Identify each Person with knowledge of any claims, lawsuits, or alternative dispute resolution proceedings related to the Podsters.

RESPONSE:

Objection, this interrogatory is vague, overbroad, and unlimited in time and scope. The interrogatory also requests information protected by the attorney-client and work product privileges. Subject to and without waiving these objections, Leachco states that all officers of the company are aware of the one lawsuit involving the Podster, which has been identified in numerous materials provided to the CPSC. As the materials provided reflect, many people were involved in and knowledgeable about these proceedings. See Interrogatory No. 19. There have been no other injury claims or proceedings concerning the Podster.

INTERROGATORY NO. 18

Identify any changes or modifications to the Podsters, including changes to their design, materials, finishing, instructions, warnings, packaging, or marketing materials, that were implemented whether or not in response to or as a result of any claims, complaints, inquiries, reports or incidents, injuries, or fatalities related to the Podsters.

RESPONSE:

Objection, this interrogatory is repetitive and duplicative of other requests, is overbroad, vague, unlimited in time and scope, compound in subject matter and calls for a narrative that would be impossible to provide over a more than 12-year period. Subject to and without waiving these objections, See Leachco's Amended Full Report, Dated December 11, 2020 as well as responses to Interrogatories 4 and 8.

INTERROGATORY NO. 19

Identify each Person who has been deposed or has otherwise given testimony in any legal proceeding regarding the Podsters and provide the date of the testimony and caption of the matter.

RESPONSE:

There has been only one legal proceeding involving the Podster, *Konica McMullen and Theodore McMullen, III v. Leachco, Inc., et al.*, Case No. CV-2015-904869 (Circuit Court of Jefferson County, Alabama, Birmingham Division). Deponents were: Mabry Ballard, Tonya Barrett, Vivian Baulding, David Blackwell, Dr. Boris Datnow, David Everson, Lakesha Glass, Beverly Goodman, Ashley Green, Matthew Green, Tyesha Hill, Evelyn Inestroza, Tracey Johnson, Priscilla Kimball, Grant Kline, Lila Laux, Alex Leach, Jamie Leach, Konica McMullen, Theodore McMullen, III, Matthew Murphree, Keith Peterson, Stuart Statler, Michael Taylor, Shakira Trice, Jessica Vice, Ebony Whitby.

Dated: May 13, 2022

CROWELL & MORING LLP

By: /s/ Cheryl A. Falvey
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bjstrauss@bclplaw.com

Attorneys for Leachco, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2022, a true and correct copy of Respondent's First Set of Requests for Production was served by e-mail and first class U.S. mail, postage prepaid, on the following:

Alberta Mills
Secretary of the U.S. Consumer Product Safety Commission
U.S. Consumer Product Safety Commission
4330 East West Highway
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amills@cpsc.gov

Mary B. Murphy, Director, Division of Enforcement and Litigation
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Robert Kaye

Assistant Executive Director
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Leah Ippolito, Supervisory Attorney
Brett Ruff, Trial Attorney
Rosalee Thomas, Trial Attorney
Caitlin O'Donnell, Trial Attorney
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BRuff@cpsc.gov
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CODonnell@cpsc.gov

/s/ Cheryl A. Falvey
Cheryl A. Falvey

VERIFICATION

I, JAMIE LEACH, Vice President of Leachco, Inc. (“Leachco”), state that I have read Leachco’s answers to The Consumer Product Safety Commission’s First Set of Interrogatories and the answers are true to the best of my knowledge, information, and belief.



Jamie Leach

Exhibit 6 to the Rogal Declaration

Web Data Collection Report

Page Title

Leachco Catalog - Leachco, Inc

URL

<https://leachco.com/collections/leachco-catalog>

Collection Date

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)

Collected by

SDonahue@cpsc.gov (SDonahue@cpsc.gov)

IP Address

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Browser Information

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File Signatures

SCREEN CAPTURE

MHTML

File Name

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OUR FAMILY BABY & CHILD BODY PILLOWS VALENTINE SPECIALS ALL PRODUCTS

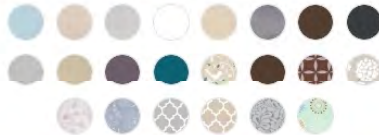
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IMPORTANT INFO

HOME / LEACHCO CATALOG



Snoogle®
from \$59.39 \$65.99



Back 'N Belly®
from \$89.99 \$99.99



Back 'N Belly® Bunchie®
from \$98.99 \$109.99



File Name

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URL

https://leachco.com/collections/leachco-catalog

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Snoogle®
from \$59.39 ~~\$65.99~~



Snoogle Jr.®
\$44.99 ~~\$49.99~~



Back 'N Belly®
from \$89.99 ~~\$99.99~~



Back 'N Belly® On My Own
from \$89.99 ~~\$99.99~~



Back 'N Belly® Bunchie®
from \$98.99 ~~\$109.99~~



Back 'N Belly® Mini Supreme
\$71.99 ~~\$79.99~~



Snoogle® R&R
\$71.99 ~~\$79.99~~



Pillay® Plush
\$98.99 ~~\$109.99~~



Prop 'R Shopper®
\$44.99 ~~\$49.99~~

File Name

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Signature (PKCS#1v1.5)

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a006acad0ada78fcebbba3b04f4ca89bd3ab1f000d56db6a132a2e25c21e753dbdfd80b20a477c230c7
4da3cfe9d0e50b12e4a426f21d7beca8460062c0ac0cd5ff018b34e2d924dc632f1699d2e79d97ea90
e356c5ccdfa2d19d9f3ef61a9b3fd4641d7ffef2df6f3f0c7d90344a22671f26e6c6bfafdb3c6c848c
854b73cbf2e5811b61690c4941d42b908fe6d2156605dcb7991a1528c3ce050fad8c055b7ad5af32f
2db88590c4d6613a5743ba2f02f987a5d5bbee24f4dea871e6cfddb3453a333215028ecd14f02927f
7910659c5a15398606235f

URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Snoogle® R&R
\$71.99 \$79.99



Pillay® Plush
\$98.99 \$109.99



Prop 'R Shopper®
\$44.99 \$49.99



Snoogle® Mini
from \$44.99 \$49.99



Snoogle® Embrace
\$80.99 \$89.99



Tummy Tucker®
\$62.99 \$69.99



All Nighter® Supreme



Back 'N Belly Bliss®



Back 'N Belly® On My Own Petite

File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_2.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_2.jpg)

Hash (SHA256)

27c1ce5dbe567e824728c4646f80fbc189cbe90a48094f2d41aeca52e6f0c13f

Signature (PKCS#1v1.5)

05034982f729fd7d6089a4c8e6565bbb7d0d37240b58c98b6409e4642709e67de998552624a4b2fd8
24179e6ba3e5925ce915e6d4ef7a6eda896b89ec002aa4ef4174ab2f89f7f5f2bddbcc07d24b5b7f50
34326ac86d7f62d1e913f0484072687acted7bc7b064b894a6a8ced14089c72be3b2c516159c25a2
8dae0d7d20e5d10f8ff389236d96e35d67ae3464de3696f2568170aa2ebf9a82ea6d62d6b8c81a660f
6e0448cc073da1bfc8d95c329bcd0741e434c2e89fa1fdc9fb8121d756662fad0e4e28edfb4b06f6dd8
4315e882b1c7a140e48fe3e593fdde4431093d7f98d9b71f545f330e20647aae0e39158eaea0f3d975
a6ca2e1f68174b02261

URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



All Nighter® Supreme
\$89.99 ~~\$99.99~~



Back 'N Belly Bliss®
\$89.99 ~~\$99.99~~



Back 'N Belly® On My Own Petite
\$89.99 ~~\$99.99~~



Back to Back®
\$89.99 ~~\$99.99~~



Body Bumper®
\$89.99 ~~\$99.99~~



Body Cloud® Supreme
\$89.99 ~~\$99.99~~



Boomerest® Supreme
\$71.00 ~~\$79.99~~



Bump Bunchie®
\$40.49 ~~\$44.99~~

URL

<https://leachco.com/collections/leachco-catalog>



Canoodle®
\$62.99 ~~\$69.99~~

File Name

[https-leachco.com-collections-leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_3.jpg](https-leachco.com-collections-leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_3.jpg)

Hash (SHA256)

a59ca980ba9fcedc8bb48135898b78cec068c06eb82e4ea534215e98fd4762c6

Signature (PKCS#1v1.5)

267b8d375b63709c2f93f86321c7b53de401a672665298f3c7eabb15f4e9ef8d757942f6bf7557663
7adb38b6b73ef904311368af8836115b79e5f908e57e628f4b5dc894fa1faf7d3b97d27d795cd273
7b7194901b3bd29e9e0a51704e82df2ec7d93c48328e814eea5436bdd6694fce4dbdc75993ec5bed
270539c575b3dcdbbf92b39f6c87a09b84483723079bdb9162a21b05905be5ec50351370bc097f4f
0b22464dcca0c01fa4de8b86b4bdc3947990fae000af88c7e42ad9c21609fc708e42454a917080f
8157baef7b88eb59476ade592dd04d8ee03577862b01823f8aa9cb62f5bcb574f634b7949d95e57d
6518507158340d682f7b0619914676b

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Boomerest® Supreme
€71.00 €70.00



Bump Bunchie®
\$110.10 \$44.00



Canoodle®
\$62.99 \$69.99



Cozy Dozy® Plush
\$89.99 \$99.99



Dream Duo®
\$98.99 \$109.99



Driftwell®
\$71.99 \$79.99



Finlay®
\$89.99 \$99.99



Grow To Sleep® Supreme
\$89.99 \$99.99



Head Snoogler™
\$17.99 \$49.99

File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_4.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_4.jpg)

Hash (SHA256)

d0aebd9417a1400fed140894d88f71bfa969e5de70ba855127dac557bcf3bf5

Signature (PKCS#1v1.5)

042c3a6e2e95bd014b965cb6bfd31234996c5e4c2e6b994182f73c5aa8626846073e07edf952b2382
ab79e5791d23582fd3b129721cf8fab70559adf3e3d079f94f2ebaf4123b71818fcbe329b77acb9c5
58f9421a855710df9c9b04c44e11b0af52868523fdacc05b51126cabe6825c764c5ad65c1ef0a2a49
3e9e40e8c9bb0ebd8bd8bbb779f79f6304cc526b802af2605dd279bd98b77273e9f09471115e93ac
d7ffa7c030962d200ce89b91551e25c4679120d9ee427f51677191be4af2b4be2ec43adae9f310c00
17533305bc214722479281f9d467e149cafaeb2dd8c47ab67b7043a8a71c358b3d944896d1e99025
69524d639680450b90efe5066192

URL

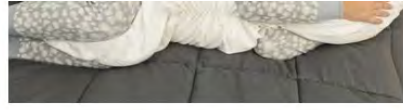
<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Finlay®
\$89.99 \$99.99



Grow To Sleep® Supreme
\$89.99 \$99.99



Head Snoogler™
\$17.99 \$49.99



Preggie Pouffe®
\$44.99 \$49.99



Roller Dozer®
\$71.99 \$79.99



Sleep E®
\$71.99 \$79.99



Sloucher®
\$71.99 \$79.99



Snoogle Band It®
\$71.99 \$79.99



Snoogle® Bunchie®
\$71.99 \$79.99



File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_5.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_5.jpg)

Hash (SHA256)

3e4fb8a3b3271459e98e7262597642b89aef8d9eed56a63cd4abab999b05675b

Signature (PKCS#1v1.5)

3d014563a6c1cd1ec6a89242e12bdb43b415c97289c29249f1d24a7b6e459e1bb3d7068b200af5902f
f4240c83159689cd67c9a3b81b873c074f76a5a55989ee71b91ae8269f1df88f71edd558610f34f823
389c440b0e1050c191f900637ce5245bdb60875fe915af28a9306e928e7a2a60537614344cc8a40b3
feaeec95535b87678434118d146f3d046c6fd99c8433daf56128624e7cef16a2cf52e7d71790244416
9f88c93ad4cc5be7e5bb2dc637f264646d100c8d7d940ee54b4ef4ef17bad24a9f3e5487f40423a10
f6e79d0c064518daed429215256a7eaca6c34a967d2874f8899fe1fd45477156e39e00265f662e3ed
0f684b8cc901aeadf641643

URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Sloucher®
\$71.99 ~~\$79.99~~



Snoogle Band It®
\$71.99 ~~\$79.99~~



Snoogle® Bunchie®
\$71.99 ~~\$79.99~~



Snoogle® Chic XL
\$71.99 ~~\$79.99~~



Snoogle® Loop Chic
\$80.99 ~~\$89.99~~



Snug 'N Hug®
\$89.99 ~~\$99.99~~



Snug All®
\$89.99 ~~\$99.99~~



Split Decision®
\$71.99 ~~\$79.99~~



Theracline®
\$89.99 ~~\$99.99~~



File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_6.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_6.jpg)

Hash (SHA256)

bb31936e4d89ea8391fac5fb1bae52d18973b30b58be3caf34675dee54a7a5de

Signature (PKCS#1v1.5)

7ab43ea3f4975e72afb3774275a21c0d633b6d749dc35bde6125c319f26d8e485ffdfc58433cc7d104
4bf60a7688dfd9e1a6ba6448c38470ac54ec64237c512ee9f73702611eeaf0a1ccf217bb9b439a10e0
01be2ceb2ea9bd84eaa9f54ecb951d8df3984f8f36fdf421d68cbbf479ff95a64adcefa6a012d01abb
fccef48412e8b2d545f7722ee422e19abbc43702ada3fc0fcd0df43e50bdc326c4dc05ab631f679de
154e02a6ab2019e97faba51106042f061c024df7c53c8f80a6e4673258216852517cbcf2e05a5160b
650000e066e29fef46017f4c7cb7d067e764a604d653cfef1fe86e54f07ab69dee78b0aad309350
4078ccc7347229ac4784cd62

URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Snug All®
\$89.99 ~~\$99.99~~



Trangility®
\$80.99 ~~\$89.99~~



ZZZs in a Blanket® Plush
\$62.99 ~~\$69.99~~



Split Decision®
\$71.99 ~~\$79.99~~



U-Dream®
\$80.99 ~~\$89.99~~



All Nighter® Supreme Cover
\$44.99 ~~\$49.99~~



Theracline®
\$89.99 ~~\$99.99~~



Upside®
\$53.99 ~~\$59.99~~



Back 'N Belly® Cover
from \$40.49 ~~\$44.99~~



File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_7.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_7.jpg)

Hash (SHA256)

483185a2ca41ceaca84205eeff6447bb25b516f336b970580947de0c84035109

Signature (PKCS#1v1.5)

715cb52e277a1cfc2d0e87b658df9b0f885327ab1cf74bb33ea3b6ac5e6417c5a01d569d94a689d2da9f14089779029659e28970fa4df34f0836a2f77581179972f3fb19977ec3ab199d01eb39d44021a76dee94a4c1d128b27d0e9974e773528bedc96aaba1ccee4225663f1de9b20bfd9dde46cc6df701b17f36bc70940d6c1a1413b4ada48433746b112c9ed88393cc82f02fee557634f71f7ddb197b5b1b11efd42276f6a425678d0052ae50a763739293837121ea86402a5302ad37e292fa356de923b65a883ee8fe97a863ca43013d00af8084c98db68e115ee10ce0fae4538bda943b09617f2cbe1b62c453d641d8515d650f0b2628a9753ae93e2cd

URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



ZZZs in a Blanket® Plush
\$62.99 ~~\$69.99~~



All Nighter® Supreme Cover
\$44.99 ~~\$49.99~~



Back 'N Belly® Cover
from \$40.49 ~~\$44.99~~



Back 'N Belly Bliss® Cover
\$44.99 ~~\$49.99~~



Back 'N Belly® Bunchie® Cover
\$44.99 ~~\$49.99~~



Back 'N Belly® Mini Supreme Cover
\$35.99 ~~\$39.99~~



Back 'N Belly® On My Own Cover
\$53.99 ~~\$59.99~~



Back 'N Belly® On My Own Petite Cover
\$53.99 ~~\$59.99~~



Body Cloud® Supreme Cover
\$53.99 ~~\$59.99~~



File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_8.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_8.jpg)

Hash (SHA256)

1f32fb653810baa2f3f5ba21b003aae953e7b9c184c0c145679c505e70bcd1fe

Signature (PKCS#1v1.5)

140a7b6cea9f0ae308f40d1b1405bbe113f349f37c7f878f5c21804e1d1de576c2fa8d0a1e4ac2eeea
0279feb4d45ecacfd146ee0ef9badf65daa2abee95079169e29a97f51caeb7bfde5c252225718e5
962fb7889b9f57a37cdeafc42b063cd02801785141cce3df8e0b562bd00f04826e26ef4c05ef5e85a
f6f82f43ec2d9440bac623a2dcd5f0e4fb31d19fe45ae2d6b305e7b45134a1162b9ba00e2f8965e7a
7c9ecb3b2d6be0d2b5f80b1e9f62914b075146b08cd48c63db9e0c2ee49a656f70e0af6a98ba1765
a3b694ebaab54c6b841eb19d3ac3ab5626b683b02455964f2a69f81d2e5c1de30315af6f9cbb415b
824e81c699b14b82586b6c6d226

URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Back 'N Belly® On My Own Cover
\$53.99 \$59.99



Boomerest® Supreme Cover
\$35.99 \$39.99



Grow To Sleep® Supreme Cover
\$53.99 \$59.99



Back 'N Belly® On My Own Petite Cover
\$53.99 \$59.99



Canoodle® Cover
\$35.99 \$39.99



Body Cloud® Supreme Cover
\$53.99 \$59.99



Driftwell® Cover
\$44.99 \$49.99



Pillay® Plush Cover
\$53.99 \$59.99



Roller Dozer® Cover
\$44.99 \$49.99



File Name

[https-leachco.com-collections-leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_9.jpg](https-leachco.com-collections-leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_9.jpg)

Hash (SHA256)

928aac8c1e7a9985e0883fe18d0a00c4bedc87f136e4e2640ab6066e8f759bb4

Signature (PKCS#1v1.5)

44264971a2295aa7d7c8ff568fefde46a35202b3510d1759c0a6f8031d57cad5d467b04c1b9cb888f1
7b417a6f8b070d834bf916fd17e7f47f5ae7667d21f29cfa7ffb2b01b481bc4d2fbd21ed35885869a
ece5fc34c0a6ccabc6f69653fcc3211f51a55b619e2e7ab14c28681dd36ffb7c1c83455ad34009eb0
3bec55de79cd6620a782eb1e34b47a9793f17e75315a0fdd0892ddb022501db551ac9809a37309f30
414b41c090a2da33849a437ef4dc5e2affb4aa9f1ad476da962b54feec33c9139395644d0c8bb1ef7
e2a0265a3d8deb84a20eac6caab6caaeffe59a30203efffaa42aeb5e60fbc95ea7d325860f562d1d
0abdaa38e3886a8400d1c5d04

URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Grow To Sleep® Supreme Cover
\$53.99 \$59.99



Shadow Sling®
\$29.99 \$49.99



Pillay® Plush Cover
\$53.99 \$59.99



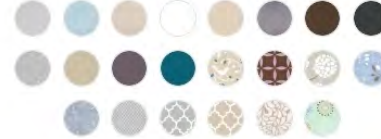
Sleep E® Cover
\$40.49 \$44.99



Roller Dozer® Cover
\$44.99 \$49.99



Snoogle® Cover
from \$26.99 \$29.99



File Name

[https-leachco.com-collections-leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_10.jpg](https-leachco.com-collections-leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_10.jpg)

Hash (SHA256)

ad5a185af3ee94944b4e7f123f38c62f7de625b72d63118521e870efd75077fe

Signature (PKCS#1v1.5)

208ce4c81da18d294d4e40834a45323243fd8b3c40efea4dd736f9a6dc5319ffbc373cdebefbeba5633f7dac4dd9c68543d6a134bacce0411550564d196f7469720e5c6ab21fca81667aa3306102d72bdca257fc49a02d55ac58f719ec69129028d2f10779e03c55fd6abf3f54ac84f62a54fb5c15cd350fc5b9ccf8060d35290c0fdef8add33e1ee11a75783339ab1865c2381637f394eb9cc7ce2f8208c647949c382281eacebdbc882d6a1cbac4a3dface3c71ad2f715e5e4be8c9ae420c1de061931388a4b457ce2b8de381d44f5e5bb2339604545ddb41eb42a729952fa6fb51c0fb3bd94686242b00b316488576cf2381227ad0f6bea6c5a247ad1c4

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Timestamp

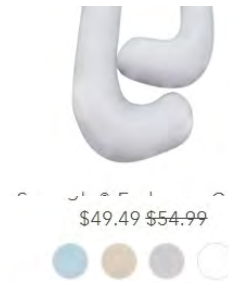
Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



\$40.49 \$44.99



\$35.99 \$39.99



\$49.49 \$54.99



Snoogle® Loop Chic Cover
\$40.49 \$44.99



Snoogle® Mini Cover
from \$22.49 \$24.99



Snoogle® R&R Cover
\$35.99 \$39.99



File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_11.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_11.jpg)

Hash (SHA256)

4e075bc8b31d7f1c8a6e13392e70214c776e14388eb56b31e0fd3985cf58eff

Signature (PKCS#1v1.5)

063fc8d3fcb44c448d1f566d1c1ede2e211a84214e69ae6ba7883006e429dfd9a042551608b2cf6f49
9dfed426caa8019906651737c3cc2fb23afee3d700a6283878aed3b2558ef871bdec72470c6283ab9
c1a04da5d949abce5d4e30dae5d9fa9348ed5c4e2ebfdd0acb261d9617fc5df98f4d27bdaebd6302da
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8c2118c71a522dc14ca6dad4d5367be1694208a813286562b7d9d38a1b9dd37c70ba5fa09400826de4
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ebf7bbebd68f7cea6bd

URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

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Snoogle® Travel Bag
\$22.49 ~~\$24.99~~



Snug All® Cover
\$49.49 ~~\$54.99~~



Split Decision® Cover
\$35.99 ~~\$39.99~~



TheraLine® Cover
\$44.99 ~~\$49.99~~



Tranquility® Cover
\$44.99 ~~\$49.99~~



Travel & Storage Bag
\$26.99 ~~\$29.99~~



COVER ONLY



COVER ONLY



File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_12.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_12.jpg)

Hash (SHA256)

07a1f167386d8e916d2501d78b269b78a62cb337d9e244e8b9f8816ccadfc7d2

Signature (PKCS#1v1.5)

0ba7ae7c4d052f1a84f953983f13e9f8d0571b5c89c27c7040898deb92144d4d4014bafc79748a776
8bc8e4b142422759f7e3f36052c7985f4e7364d420c0851aa4e268d405535fd68c7993a8051d1301d
25fc0a4548cc58a75f7d79dec64dce991faac9315472f6bcd74202a52fcc6903edaa43729a3a931e09
e4a5f493677b96c5a0f5265b6240ad008374961788bae9c42fc82a94fc098c884398179355709e8114
096f0dcc8031875d69f1804fe502ce74a2b8ebb4b994b6810d82fe241d901ceca4cfa82f8505febe00
29aa1c778a96b09ec6e02df1c38eac174e41efc42b38f4335301765a56c21b4022ca83a0a28c5df791e
17076a30cbf660f784153

URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



back 'N Belly® Chic Cover - brown
\$33.75 ~~\$44.99~~



back 'N Belly® Chic Cover - Sunny Circles
\$33.75 ~~\$44.99~~



back 'N Belly® Jersey - villa
\$74.99 ~~\$99.99~~



Back 'N Belly® Jersey Cover - Villa
\$33.75 ~~\$44.99~~



Back 'N Belly® Organic - Green Brown Dot
\$74.99 ~~\$119.99~~



Back 'N Shape®
\$62.99 ~~\$84.99~~



File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_13.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_13.jpg)

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URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Belly Bumper®
\$27.99 \$36.99



Lounge Town C Shaped Body Pillow
\$49.95 \$66.49



Snoogle® Chic - Shadow
\$49.99 \$65.99



Snoogle® Chic - Taupe Rings
\$49.99 \$65.99



COVER ONLY

Snoogle® Chic Cover - Taupe Rings
\$22.49 \$29.99



Snoogle® Jersey - Villa
\$49.99 \$65.99



COVER ONLY



File Name

https-leachco.com-collections-leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_14.jpg

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URL

https://leachco.com/collections/leachco-catalog

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Snuggly® Jersey Cover - Villa
\$22.49 \$29.99



Snuggly® Organic Green Plaid Baby
\$49.99 \$79.99



Leachco® Comfort Gift Set
from \$25.00



Best Nest®
Sold Out



Cuddle-U®
Sold Out



Cuddle-U® Cover
Sold Out



Natural Boost Original®



Podster®



Podster® Cover

File Name

[https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-\(EST\)_15.jpg](https://leachco.com/collections/leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_15.jpg)

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URL

<https://leachco.com/collections/leachco-catalog>

Timestamp

Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)



Natural Boost Original®
Sold Out



Podster®
Sold Out



Podster® Cover
Sold Out



SnuggaHug®
Sold Out




The Natural Original®
Sold Out



Snoogle® Supreme Blissful Blush
\$62.99 \$69.99





Because you're expecting... more®

<ul style="list-style-type: none"> Shop Top Selling Last Chance All Products Where to Buy How to Use Sezzle 	<ul style="list-style-type: none"> Information My Account Important Info Frequently Asked Questions Return and Warranty Policy Privacy Policy 		<p>For the last 33 years I have had the privilege of creating products that have helped my children, grandchildren, family and friends. This passion for inventing and helping others has evolved into a company that remains focused on providing the best quality and comfort for our customers, whom we</p>
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File Name
https-leachco.com-collections-leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_16.jpg

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URL
https://leachco.com/collections/leachco-catalog





Timestamp
Tue Feb 07 2023 13:08:38 GMT-0500 (Eastern Standard Time)

Because you're expecting... more®

- Top Selling
- Last Chance
- All Products
- Where to Buy
- How to Use Sezzle

- My Account
- Important Info
- Frequently Asked Questions
- Return and Warranty Policy
- Privacy Policy

products that have helped my children, grandchildren, family and friends. This passion for inventing and helping others has evolved into a company that remains focused on providing the best quality and comfort for our customers, whom we

SnuggaHug® Sold Out

The Natural Original® Sold Out

Snoogle® Supreme Blissful Blush \$62.99 \$69.99

Because you're expecting... more®

- Shop
- Top Selling
- Last Chance
- All Products
- Where to Buy
- How to Use Sezzle
- Terms and Conditions
- Do Not Sell My Personal Information



- Information
- My Account
- Important Info
- Frequently Asked Questions
- Return and Warranty Policy
- Privacy Policy
- Copyright Information
- Accessibility Policy

For the last 33 years I have had the privilege of creating products that have helped my children, grandchildren, family and friends. This passion for inventing and helping others has evolved into a company that remains focused on providing the best quality and comfort for our customers, whom we consider our Leachco extended family.

Jamie Leach

VP, Mom, RN, Innovator

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File Name
https-leachco.com-collections-leachco-catalog-Feb-07-23-13-08-38-GMT-0500-(EST)_17.jpg

URL
https://leachco.com/collections/leachco-catalog

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Exhibit 7 to the Rogal Declaration

**CONSUMER PRODUCT
SAFETY COMMISSION**

**IN THE MATTER OF
LEACHCO, INC.**

CPSC Docket No. 22-1

HON. MICHAEL G. YOUNG
PRESIDING OFFICER

**LEACHCO, INC.'S OBJECTIONS AND RESPONSES TO
CPSC'S SECOND SET OF REQUESTS FOR ADMISSION**

Pursuant to 16 C.F.R. § 1025.34, Respondent Leachco, Inc. submits its objections and responses to the Commission's First Set of Requests for Admissions. Leachco objects to any definitions or instructions in the Commission's Requests that seek, or would require Leachco to disclose, discovery beyond the permissible scope of discovery in the Commission's Rules of Practice for Administrative Proceedings.

* * *

REQUEST NO. 1: Admit that since 2008 Leachco has not had any document management policies other than those contained in the Quality Assurance Plan produced by Leachco with Bates numbers Leachco-CPSC-000003 through Leachco-CPSC-000022.

RESPONSE: Admit.

REQUEST NO. 2: Admit that Leachco has marketed the Podster as a product that "provides upper body elevation which can help aid in digestion and breathing."

RESPONSE: Admit that Leachco has stated on its website that the "Podster provides upper body elevation which can help aid in digestion and breathing." To the

extent a further response is required, Leachco denies the remaining parts, if any, of this Request.

REQUEST NO. 3: Admit that, prior to the filing of the Complaint, Leachco had knowledge that consumers were allowing infants to sleep on Podsters.

RESPONSE: Objection. This Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Leachco has filed a Motion for Protective Order (Nov. 21, 2022) objecting to this Request, and Leachco incorporates the objections set forth in that Motion here.

REQUEST NO. 4: Admit that, prior to the filing of the Complaint, Leachco had knowledge that at least one Retailer advertised the Podster as a product in which infants can sleep.

RESPONSE: Objection. This Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Leachco has filed a Motion for Protective Order (Nov. 21, 2022) objecting to this Request, and Leachco incorporates the objections set forth in that Motion here.

REQUEST NO. 5: Admit that, prior to the filing of the Complaint, Leachco had knowledge that there were reviews on Amazon.com in which consumers referenced infants sleeping on Podsters.

RESPONSE: Objection. This Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Leachco has filed a Motion for Protective Order (Nov. 21, 2022) objecting to this Request, and Leachco incorporates the objections set forth in that Motion here.

REQUEST NO. 6: Admit that at least one infant died after being left unsupervised on a Podster.

RESPONSE: Objection. This Request is vague in that it fails to provide a relevant time frame, nor does this Request include a scenario that necessarily and directly leads from a lack of supervision to an infant's death. Without exhausting the possibilities, an infant left unsupervised in a Podster could have died directly because of a health condition or from a piece of food lodged in the infant's airways, or because a full bottle was placed in the infant's mouth, or because a caregiver rolled on top of and suffocated an infant. Leachco further objects to this Request because it assumes a consumer misuse of the Podster, a misuse that is directly contrary to Leachco's express warnings and instructions, not to mention common sense. Finally, Leachco objects that it does not have first-hand knowledge of facts of any deaths allegedly related to a Podster and that there are conflicting reports about the two incidents alleged at paragraphs 36 & 37 in the Commission's complaint. For example, the IDI related to the incident at the Alabama daycare center states that the "daycare licensing agency report (Exhibit 4) shows the boy was found unresponsive face down on the pillow, but the medical examiner's report (Exhibit 5) shows the boy was found unresponsive lying on his back on the pillow. No further information could be obtained to determine in which position the boy was found. It is unclear in what position the boy was placed on the pillow." *See* CPSC0010225.

Subject to and without waiving all objections, and based on information and belief, Leachco admits one infant died after personnel at a daycare facility placed a

baby in an infant lounger (either on the infant's side or back), which was already on a crib mattress in a crib, which also included a stuffed animal that was found near the baby's face; and after a bottle of some type of liquid was placed in the infant's mouth; and after the infant was left unattended for approximately ninety minutes.

Subject to and without waiving all objections, and based on information and belief, Leachco admits that one infant, who had occasionally made gasping sounds while breathing, died after being placed on an infant lounger, which was on top of a queen-size bed, on which a blanket was also present; and after the infant and the infant's parents co-slept on the bed (the infant, at one point in time, in the Podster between the parents); after the parents fell asleep; and after the infant was found in the bed off of the Podster.

To the extent a further response is required, Leachco denies the remaining parts, if any, of this Request.

REQUEST NO. 7: Admit that an infant can suffocate on the Podster.

RESPONSE: Objection. This Request is far too abstract to be a properly focused Request for Admission. It is possible that any person "can suffocate" in literally any location, depending on an unknown number of factors including, among other things, the person's health, the ingestion of items that could block the person's airways, the age of the person, the lack of supervision over a person who may be—because of health risks or otherwise—particularly susceptible to breathing problems. The defective nature of this Request underscores the absurdity of the CPSC's allegations in this proceeding. Accidents that lead to serious injury or death "can" occur literally

anywhere and under an unknown number of circumstances. This Request provides no information concerning the relative health of the “infant.” Nor does the Request identify the age, length, or weight of the “infant.” Further, the phrase “on the Podster” is vague as used here. Subject to and without waiving all objections, Leachco admits that an infant “can suffocate” “on the Podster” if an infant is placed on the Podster in a position contrary to Leachco’s warnings and instructions and/or if the infant is not constantly supervised.

To the extent a further response is required, Leachco denies the remaining parts, if any, of this Request.

REQUEST NO. 8: Admit that, prior to selling the Podsters, Leachco conducted no Tests to assess potential infant movement while on the Podsters.

RESPONSE: Deny.

REQUEST NO. 9: Admit that, after beginning to sell the Podsters, Leachco conducted no Tests to assess potential infant movement while on the Podsters.

RESPONSE: Deny.

REQUEST NO. 10: Admit that, prior to selling the Podsters, Leachco conducted no Tests to evaluate whether the Podsters pose a suffocation risk.

RESPONSE: Objection. This Request is far too abstract to be a properly focused Request for Admission. The phrase “suffocation risk” is vague as used here. One confronts a “suffocation risk” often—for example, at every meal or every time one goes swimming—and such a risk may be increased for those who have underlying health problems, for those who ignore product warnings and/or who lack common sense, or

for those whose caregivers ignore product warnings and/or lack common sense. Subject to and without waiving all objections, deny.

REQUEST NO. 11: Admit that, after beginning to sell the Podsters, Leachco conducted no Tests to evaluate whether the Podsters pose a suffocation risk.

RESPONSE: Objection. This Request is far too abstract to be a properly focused Request for Admission. The phrase “suffocation risk” is vague as used here. One confronts a “suffocation risk” often—for example, at every meal or every time one goes swimming—and such a risk may be increased for those who have underlying health problems, for those who ignore product warnings and/or who lack common sense, or for those whose caregivers ignore product warnings and/or lack common sense. Subject to and without waiving all objections, deny.

REQUEST NO. 12: Admit that, prior to selling the Podsters, Leachco conducted no Tests regarding how consumers may use the Podsters.

RESPONSE: Deny.

REQUEST NO. 13: Admit that, after beginning to sell the Podsters, Leachco conducted no Tests regarding how consumers may use the Podsters.

RESPONSE: Deny.

REQUEST NO. 14: Admit that, prior to selling the Podsters, Leachco conducted no Tests regarding the effectiveness of the Podsters’ warnings and instructions.

RESPONSE: Deny.

REQUEST NO. 15: Admit that, after beginning to sell the Podsters, Leachco conducted no Tests regarding the effectiveness of the Podsters' warnings and instructions.

RESPONSE: Deny.

REQUEST NO. 16: Admit Leachco has no safety department to assess the safety of its products.

RESPONSE: Objection. The phrase "safety department" is undefined and vague. The term "safety" is also vague in that it fails to describe what level of "safety" is acceptable. Leachco also objects to the CPSC's apparent premise—based on its allegations in the Complaint here—that "consumer safety" means that no consumer must ever suffer any injury or harm when using or in the vicinity of consumer products, regardless of misuse, common sense, or product warnings or instructions. Leachco further objects to the premise of this Request, *i.e.*, that a small company like Leachco would be expected to have a completely independent, lawyerly described "department" whose sole focus is the "safety" of its products. Subject to and without waiving all objections, Leachco admits that it does not have a group of people designated as a "safety department" to assess the "safety" of its products, but Leachco denies that it lacks a systematic means of assessing the safety of its products.

REQUEST NO. 17: Admit Leachco has no safety committee to assess the safety of its products.

RESPONSE: Objection. The phrase "safety committee" is undefined and vague. The term "safety" is also vague in that it fails to describe what level of "safety" is

acceptable. Leachco also objects to the CPSC's apparent premise—based on its allegations in the Complaint here—that “consumer safety” means that no consumer must ever suffer any injury or harm when using or in the vicinity of consumer products, regardless of misuse, common sense, or product warnings or instructions. Leachco further objects to the premise of this Request, *i.e.*, that a small company like Leachco would be expected to have a completely independent, lawyerly described “committee” whose sole focus is the “safety” of its products. Subject to and without waiving all objections, Leachco admits that it does not have a group of people designated as a “safety committee” to assess the “safety” of its products, but Leachco denies that it lacks a systematic means of assessing the safety of its products.

REQUEST NO. 18: Admit Leachco has no employee whose position at Leachco focuses solely on product safety.

RESPONSE: Objection. The term “safety” is vague in that it fails to describe what level of “safety” is acceptable. Leachco also objects to the CPSC's apparent premise—based on its allegations in the Complaint here—that “consumer safety” means that no consumer must ever suffer any injury or harm when using or in the vicinity of consumer products, regardless of misuse, common sense, or product warnings or instructions. Further objecting, Leachco states that from Jamie Leach and down through every employee, Leachco is focused on the safety of its products; product safety is part of every employee's job at Leachco. Subject to and without waiving all objections, Leachco admits that it does not have an employee whose position at

Leachco focuses solely on product safety, but Leachco denies that it lacks a systematic means of assessing product safety.

REQUEST NO. 19: Admit Leachco has no written company policies regarding consumer safety.

RESPONSE: Objection. The term “consumer safety” is vague in that it fails to level of “safety” is acceptable. Leachco also objects to the CPSC’s apparent premise—based on its allegations in the Complaint here—that “consumer safety” means that no consumer must ever suffer any injury or harm when using or in the vicinity of consumer products, regardless of misuse, common sense, or product warnings or instructions. Subject to and without waiving all objections, Leachco admits that it does not have written company policies regarding “consumer safety,” but Leachco denies that it lacks policies and practices regarding “consumer safety.”

REQUEST NO. 20: Admit Leachco has no written company procedures regarding consumer safety.

RESPONSE: Objections. The phrase “consumer safety” as used here is vague. Leachco also objects to the CPSC’s apparent premise—based on its allegations in the Complaint here—that “consumer safety” means that no consumer must ever suffer any injury or harm when using or in the vicinity of consumer products, regardless of misuse, common sense, or product warnings or instructions. Subject to and without waiving all objections, Leachco admits that it does not have written company procedures regarding “consumer safety,” but Leachco denies that it lacks procedures and practices regarding “consumer safety.”

REQUEST NO. 21: Admit that Leachco employees sent emails regarding the Podsters, including emails containing the term “Podster”, using the customerservice@leachco.com email address.

RESPONSE: Admit.

REQUEST NO. 22: Admit that Leachco employees received emails regarding the Podsters, including emails containing the term “Podster”, using the customer-service@leachco.com email address.

RESPONSE: Admit.

REQUEST NO. 23: Admit that Jamie Leach sent emails to other Leachco employees regarding the Podsters, including emails containing the term “Podster”, using the jamieleach@leachco.com email address.

RESPONSE: Admit.

REQUEST NO. 24: Admit that Jamie Leach received emails from other Leachco employees regarding the Podsters, including emails containing the term “Podster”, using the jamieleach@leachco.com email address.

RESPONSE: Admit.

REQUEST NO. 25: Admit that Tonya Barrett sent emails to other Leachco employees regarding the Podsters, including emails containing the term “Podster”, using the tbarrett@leachco.com email address.

RESPONSE: Admit.

REQUEST NO. 26: Admit that Tonya Barrett received emails from other Leachco employees regarding the Podsters, including emails containing the term “Podster”, using the tbarrett@leachco.com email address.

RESPONSE: Admit.

REQUEST NO. 27: Admit that Leah Barnes sent emails to other Leachco employees regarding the Podsters, including emails containing the term “Podster”, using the lbarnes@leachco.com email address.

RESPONSE: Admit.

REQUEST NO. 28: Admit that Leah Barnes received emails from other Leachco employees regarding the Podsters, including emails containing the term “Podster”, using the lbarnes@leachco.com email address.

RESPONSE: Admit.

REQUEST NO. 29: Admit that Mabry Ballard sent emails to other Leachco employees regarding the Podsters, including emails containing the term “Podster”, using the mballard@leachco.com email address.

RESPONSE: Admit.

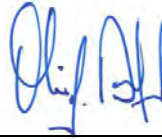
REQUEST NO. 30: Admit that Mabry Ballard received emails from other Leachco employees regarding the Podsters, including emails containing the term “Podster”, using the mballard@leachco.com email address.

RESPONSE: Admit.

* * *

Dated: November 30, 2022.

Respectfully submitted,



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Counsel for Respondent Leachco, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2022, I served, by electronic mail, the foregoing upon all parties of record in these proceedings:

<p>Leah Ippolito, Supervisory Attorney Brett Ruff, Trial Attorney Rosalee Thomas, Trial Attorney Caitlin O'Donnell, Trial Attorney Michael Rogal, Trial Attorney Frederick C. Millett Gregory M. Reyes Complaint Counsel Office of Compliance and Field Operations U.S. Consumer Product Safety Comm'n Bethesda, MD 20814 lippolito@cpsc.gov bruff@cpsc.gov rbthomas@cpsc.gov codonnell@cpsc.gov mrogal@cpsc.gov fmillett@cpsc.gov greyes@cpsc.gov</p>	<p>Mary B. Murphy Director, Div. of Enforcement & Litigation U.S. Consumer Product Safety Comm'n 4330 East West Highway Bethesda, MD 20814 mmurphy@cpsc.gov</p> <p>Robert Kaye Assistant Executive Director Office of Compliance and Field Operations U.S. Consumer Product Safety Comm'n 4330 East West Highway Bethesda, MD 20814 rkaye@cpsc.gov</p>
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Oliver J. Dunford
Counsel for Respondent Leachco, Inc.

**Exhibit 8 to the Rogal
Declaration
(filed in camera)**

**Exhibit 9 to the Rogal
Declaration
(filed in camera)**

**Exhibit 10 to the Rogal
Declaration
(filed in camera)**

Exhibit 11 to the Rogal Declaration

**UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION**

IN THE MATTER OF
LEACHCO, INC.,
Respondent.

CPSC Docket No. 22-1
HON. MICHAEL G. YOUNG
PRESIDING OFFICER

**LEACHCO, INC.'S SECOND SUPPLEMENTAL OBJECTIONS AND RESPONSES TO
CPSC'S FIRST SET OF REQUESTS FOR ADMISSION NOS. 3, 4, & 5**

Pursuant to 16 C.F.R. § 1025.34, Respondent Leachco, Inc. submits its Second Supplemental Responses to the Commission's First Set of Requests for Admission Nos. 3, 4, & 5. Leachco objects to any definitions or instructions in the Commission's Requests that seek, or would require Leachco to disclose, discovery beyond the permissible scope of discovery in the Commission's Rules of Practice for Administrative Proceedings.

* * *

REQUEST NO. 3: Admit that, prior to the filing of the Complaint, Leachco had knowledge that consumers were allowing infants to sleep on Podsters.

RESPONSE: Objection. This Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Leachco has filed a Motion for Protective Order (Nov. 21, 2022) objecting to this Request, and Leachco incorporates the objections set forth in that Motion here.

SUPPLEMENTAL RESPONSE: Leachco incorporates by reference, and thereby preserves, all previous objections to this Request. In accordance with the December 16, 2022 Order denying Leachco's Motion for Protective Order and grant-

ing the Commission’s Motion to Compel, Leachco responds as follows. Leachco objects to the term “allowing” because, among other things, it suggests Leachco can know what consumers did and intended to do. Subject to and without waiving any objections, Leachco admits that, before the Commission’s Administrative Complaint was filed, it received communications concerning the Podster and sleep. To the extent a further response is required, Leachco denies any remaining parts of this Request.

SECOND SUPPLEMENTAL RESPONSE: Leachco incorporates by reference, and thereby preserves, all previous objections to this Request. In accordance with this Court’s March 2, 2023 Order Denying in Part and Granting in Part Complaint Counsel’s Motion to Compel Discovery and for Sanctions, Leachco responds as follows: Leachco objects to the extent that the Requests suggests that Leachco “had knowledge” about what “consumers” generally “were allowing.” Leachco sold about 180,000 Podsters and it cannot know what most—or even many—consumers used those Podsters for. Subject to and without waiving any objections, Leachco admits that during the approximately 15 years Leachco sold the Podster, and before the Commission filed its Administrative Complaint, Leachco had knowledge that some consumers had placed some infants on some Podsters and some infants subsequently fell asleep while on the product. Consistent with this Court’s March 2, 2023 Order, and subject to all objections, Leachco admits consumers allowed infants to sleep on Podsters. To the extent a further response is required, Leachco denies any remaining parts of this Request.

REQUEST NO. 4: Admit that, prior to the filing of the Complaint, Leachco had knowledge that at least one Retailer advertised the Podster as a product in which infants can sleep.

RESPONSE: Objection. This Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Leachco has filed a Motion for Protective Order (Nov. 21, 2022) objecting to this Request, and Leachco incorporates the objections set forth in that Motion here.

SUPPLEMENTAL RESPONSE: Leachco incorporates by reference, and thereby preserves, all previous objections to this Request. In accordance with the December 16, 2022 Order denying Leachco's Motion for Protective Order and granting the Commission's Motion to Compel, Leachco responds as follows. Leachco objects to the term "advertised," as it suggests that Leachco confirmed how or whether any Retailers "advertised" the Podster. Subject to and without waiving any objections, Leachco admits that, before the Commission filed its Administrative Complaint, it had knowledge that Amazon erroneously included the Podster in what appears to be a category or style called "Sleep Positioners". Leachco denies that it ever approved of this description or ever approved of any marketing, designation, or otherwise to suggest that the Podster should be used for sleep. To the extent a further response is required, Leachco denies any remaining parts of this Request.

SECOND SUPPLEMENTAL RESPONSE: Leachco incorporates by reference, and thereby preserves, all previous objections to this Request. In accordance with this Court's March 2, 2023 Order Denying in Part and Granting in Part Com-

plaint Counsel's Motion to Compel Discovery and for Sanctions, Leachco responds as follows: Leachco admits that, before the Commission filed its Administrative Complaint, Leachco had knowledge that at least one Retailer included the Podster in what appears to be a category or style called "Sleep Positioners". To the extent a further response is required, Leachco denies any remaining parts of this Request.

REQUEST NO. 5: Admit that, prior to the filing of the Complaint, Leachco had knowledge that there were reviews on Amazon.com in which consumers referenced infants sleeping on Podsters.

RESPONSE: Objection. This Request seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Leachco has filed a Motion for Protective Order (Nov. 21, 2022) objecting to this Request, and Leachco incorporates the objections set forth in that Motion here.

SUPPLEMENTAL RESPONSE: Leachco incorporates by reference, and thereby preserves, all previous objections to this Request. In accordance with the December 16, 2022 Order denying Leachco's Motion for Protective Order and granting the Commission's Motion to Compel, Leachco responds as follows. Leachco objects to the Request on the ground that it cannot confirm whether "reviews" on Amazon.com were made by actual consumers or by actual consumers of the Podster. Nor can Leachco know whether any "reviews" were accurate in whole or in part. Subject to and without waiving any objections, Leachco admits that, before the Commission filed its Administrative Complaint, it had knowledge that purported reviews on


Amazon.com referenced infants sleeping on Podsters. To the extent a further response is required, Leachco denies any remaining parts of this Request.

SECOND SUPPLEMENTAL RESPONSE: Leachco incorporates by reference, and thereby preserves, all previous objections to this Request. In accordance with this Court's March 2, 2023 Order Denying in Part and Granting in Part Complaint Counsel's Motion to Compel Discovery and for Sanctions, Leachco responds as follows: Leachco admits that, before the Commission filed its Administrative Complaint, it had knowledge that there were reviews on Amazon.com that referenced infants sleeping on Podsters. To the extent a further response is required, Leachco denies any remaining parts of this Request.

* * *

DATED: March 13, 2023.

Respectfully submitted,



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Counsel for Respondent Leachco, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 13, 2023, I served, by electronic mail, the foregoing *Leachco, Inc.'s Second Supplemental Objections and Responses to CPSC's First Set of Requests for Admission Nos. 3, 4, & 5* upon all parties and participants of record in these proceedings:

<p>Leah Ippolito, Supervisory Attorney Brett Ruff, Trial Attorney Rosalee Thomas, Trial Attorney Caitlin O'Donnell, Trial Attorney Michael Rogal, Trial Attorney Frederick C. Millett Gregory M. Reyes Complaint Counsel Office of Compliance and Field Operations U.S. Consumer Product Safety Comm'n Bethesda, MD 20814 lippolito@cpsc.gov bruff@cpsc.gov rbthomas@cpsc.gov codonnell@cpsc.gov mrogal@cpsc.gov fmillett@cpsc.gov greyes@cpsc.gov</p>	<p>Mary B. Murphy Director, Div. of Enforcement & Litigation U.S. Consumer Product Safety Comm'n 4330 East West Highway Bethesda, MD 20814 mmurphy@cpsc.gov</p> <p>Robert Kaye Assistant Executive Director Office of Compliance and Field Operations U.S. Consumer Product Safety Comm'n 4330 East West Highway Bethesda, MD 20814 rkaye@cpsc.gov</p>
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Oliver J. Dunford
Counsel for Respondent Leachco, Inc.

**Exhibit 12 to the Rogal
Declaration
(filed in camera)**

**Exhibit 13 to the Rogal
Declaration
(filed in camera)**

**Exhibit 14 to the Rogal
Declaration
(filed in camera)**

**Exhibit 15 to the Rogal
Declaration
(filed in camera)**

**Exhibit 16 to the Rogal
Declaration
(filed in camera)**