

**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

**LEACHCO, INC.'S MOTION TO EXCLUDE THE EXPERT TESTIMONY
PROFFERED BY THE CONSUMER PRODUCT SAFETY COMMISSION**

For the reasons set forth in the accompanying Memorandum in Support, the Court should grant Leachco's Motion and—

- I. Exclude the testimony of Dr. Mannen, Dr. Katwa, and Ms. Kish because the testimony is based on factual information that was not disclosed during fact discovery.
- II. Exclude the testimony of Dr. Katwa and Ms. Kish on Leachco's allegedly defective warnings as unhelpful and irrelevant.
- II. Exclude Dr. Mannen's proffered testimony because (A) she failed to disclose information and data underlying her report and (B) her testimony is unreliable and irrelevant.
- III. Exclude Dr. Katwa's testimony on matters outside his proffered expertise.
- IV. Exclude the attempts by Dr. Katwa and Ms. Kish to introduce fact testimony through expert reports.

Leachco reserves the right to supplement and/or renew this motion—or to address these matters in its post-hearing brief—once it has had the opportunity to cross-examine the Commission's proffered expert witnesses.

DATED: July 14, 2023.

Respectfully submitted,

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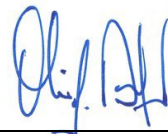
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CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2023, I served, by electronic mail, the foregoing upon all parties and participants of record:

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