

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

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In the Matter of)	
)	CPSC Docket No. 12-2
ZEN MAGNETS, LLC,)	
)	
Respondent.)	
)	

**COMPLAINT COUNSEL’S STATEMENT OF NO OBJECTION TO PUBLICATION OF
JOINT STATEMENT REGARDING FACTUAL AND LEGAL ISSUES IN DISPUTE
REGARDING THE DRAFT ACTION PLAN AND DRAFT PUBLIC NOTIFICATION**

On November 27, 2017, the parties filed a Joint Statement Regarding Factual and Legal Issues in Dispute Regarding the Draft Action Plan and Draft Public Notification. On December 1, 2017, the Commission, through the Office of the Secretary, advised counsel that the Office of the Secretary plans to post the above filing in the public docket and asked the parties to clarify whether any information contained in the filing is considered a trade secret, commercially sensitive information, or should otherwise be subject to a protective order.

Complaint Counsel has no objection to the publication of the November 27, 2017, filing and does not believe that any information contained in the filing is considered a trade secret, commercially sensitive information, or should otherwise be subject to a protective order. Although Zen stated in the above filing that it objects to publication of the Subject Product’s Chinese manufacturer, such information is already on the public docket. *See* Docket 12-2 Entry # 1 (Complaint ¶ 11); # 6 (Amended Complaint ¶ 11), # 26 Exh. B. (Second Amended Complaint ¶ 22). It was also made public by Respondent during direct examination by Respondent’s Counsel at the hearing. Tr. at 1496, lines 18-20; 1498, lines 1-6. In addition, all manufacturers are required to be identified pursuant to 16 C.F.R. § 1115.27(h).

Respectfully submitted,

Mary B. Murphy, Assistant General Counsel
Daniel R. Vice, Trial Attorney
Division of Compliance
Office of the General Counsel
U.S. Consumer Product Safety Commission
Bethesda, MD 20814
Tel: (301) 504-7809
Complaint Counsel for
U.S. Consumer Product Safety Commission

December 5, 2017

CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2017, a copy of the foregoing was e-mailed to counsel for Zen Magnets LLC at Davidjapha@japhalaw.com.

Complaint Counsel