UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the matter of	)	
MAXFIELD AND OBERTON HOLDINGS, LLC	)	CPSC DOCKET 12-1
ZEN MAGNETS, LLC	)	CPSC DOCKET 12-2
STAR NETWORKS USA, LLC	)	CPSC DOCKET 13-2
	)	(Consolidated)
Respondents.	)	

REQUEST TO PARTICIPATE IN THE PROCEEDING AS A NON-PARTY PARTICIPANT AND FOR LEAVE TO FILE AN OPPOSITION TO COMPLAINT COUNSEL'S MOTION FOR LEAVE TO AMEND COMPLAINT BY FEBRUARY 28, 2013

Craig Zucker respectfully requests leave to participate in these proceedings as a non-party with an interest in the proceedings, pursuant to the Commission's regulations, 16 C.F.R. § 1025.17(b)[1]. Mr. Zucker has an interest in these proceedings because, on February 11, 2013, Complaint Counsel filed a motion for leave to amend the complaint in CPSC Docket 12-1 to add Mr. Zucker as a respondent.[2] The court having not ruled upon Complaint Counsel's motion to amend or considered Mr. Zucker's contemplated objection thereto, Mr. Zucker is not a party to the proceedings at this time. Mr. Zucker seeks leave to participate in order to provide the Court with his views and arguments as to why Complaint Counsel's motion should be denied.

[1] Mr. Zucker's request for leave to participate as a nonparty Participant is not intended to waive his objections to any assertion of jurisdiction over him by this Court.
[2] Complaint Counsel's motion also seeks to amend the complaint in Docket 12-2. Mr. Zucker takes no position as to that proposed amendment, and does not intend to address that issue in his opposition to the motion to amend the complaint in Docket 12-1.

No other party in this proceeding can adequately represent Mr. Zucker's interests in responding to Complaint Counsel's motion. Mr. Zucker would be uniquely affected by an Order of this Court granting Complaint Counsel's motion to add him as a respondent. His participation would be consistent with the Commission's rules favoring participation in adjudications, particularly when the person's participation "can be expected to assist the Presiding Officer and the Commission in rendering a fair and equitable resolution" of the issues. 16 C.F.R. § 1025.17(e).

Granting Mr. Zucker's motion will not unreasonably delay these proceedings. Mr. Zucker proposes to file his opposition on or before February 28, 2013.[3]

For these reasons, and in order to place his views before the Court before Complaint Counsel's motion is considered, Mr. Zucker requests leave to participate as a non-party Participant in these proceedings and for leave to file an opposition to Complaint Counsel's motion by Thursday, February 28, 2013.

Respectfully submitted,

Dated: February 20, 2013

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[3] Mr. Zucker has not yet been served with Complaint Counsel's motion. Without waiving Mr. Zucker's objection to the Court's jurisdiction, undersigned counsel spoke with Complaint Counsel on February 19, 2013, and consented to accept service of the motion.

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In the matter of	)	
	)	
MAXFIELD AND OBERTON HOLDINGS, LLC	)	CPSC DOCKET 12-1
ZEN MAGNETS, LLC	)	CPSC DOCKET 12-2
STAR NETWORKS USA, LLC	)	CPSC DOCKET 13-2
	)	(Consolidated)
Respondents.	)	

ORDER

This matter having come before this Court on the Request of Mr. Craig Zucker to participate as a non-party Participant for the purpose of filing an opposition to Complaint Counsel's motion to add him as a respondent, it is on this ____ day of _____, 2013,

ORDERED that Mr. Zucker's request is GRANTED. Mr. Zucker may participate in this proceeding as a non-party Participant and shall file his opposition to Complaint Counsel's motion on or before February 28, 2013.

_____

The Honorable Dean C. Metry
Presiding Officer

CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2013, a true and correct copy of the foregoing Request to Participate in the Proceeding as a Non-Party Participant and For Leave to File an Opposition to Complaint Counsel's Motion for Leave to Amend Complaint By February 28, 2013 was served first class, postage prepaid, U.S. Mail on the Secretary of the U.S. Consumer Product Safety Commission, the Presiding Officer, and all parties and participants of record in these proceedings in the following manner:

Original and three copies by U.S. mail, and one copy by electronic mail, to the Secretary of the U.S. Consumer Product Safety Commission, Todd A. Stevenson.

One copy by U.S. mail and one copy by electronic mail to the Presiding Officer for *In the Matter of Maxfield and Oberton Holdings, LLC*, CPSC Docket No. 12-1; *In the Matter of Zen Magnets, LLC*, CPSC Docket No 12-2, and *In the Matter Of Star Networks USA, LLC,* CPSC Docket No. 13-2:

The Honorable Dean C. Metry
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Janice.M.Emig@uscg.mil

One copy by U.S. mail and one copy by electronic mail to Complaint Counsel:

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Complaint Counsel
And Assistant General Counsel
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U.S. Consumer Product Safety Commission
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Jennifer Argabright, Trial Attorney
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One copy by U.S. mail and one copy by electronic mail to counsel for Respondents Zen Magnets, LLC and Star Networks USA, LLC:

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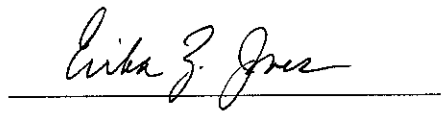

Erika Z. Jones