



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

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**Record of Commission Action
Commissioners Voting by Ballot***

Commissioners Voting: Acting Chairman Nancy A. Nord
 Commissioner Thomas H. Moore

ITEM:

Subpoena to Kazuma Pacific, Inc.
(Briefing package dated September 25, 2007, OS No. 4194)

DECISION:

The Commission voted unanimously (2-0) to issue the Special Order and Subpoena to Kazuma Pacific Inc., ("Kazuma") requiring by subpoena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties pursuant to section 27(b)(3) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2076(b)(3) and 16 C.F.R. Part 1118. The Commission also voted unanimously (2-0) to authorize Howard N. Tarnoff to take the depositions with the power to administer oaths, ordered by the Special Order and Subpoena, pursuant to Section 27(b)(4), 15 U.S.C. § 2076(b)(4). The information or documents are for the Office of Compliance and Field Operations staff investigation of the substantial product hazard involving the Kazuma Meerkat 50 all terrain vehicles ("Meerkat 50's"). Kazuma has failed to take voluntary actions to notify consumers or recall the Meerkat 50's and have either refused or provided only partial responses to the staff's request to provide the information needed to further evaluate the hazard and to determine appropriate future action. The Compliance staff asked the Commission to issue a special order and subpoena to the firm for documentation, answers to questions and testimony of witnesses in furtherance to the staff's investigation.

For the Commission:

A handwritten signature in blue ink, appearing to read "TAS", followed by a stylized flourish.

Todd A. Stevenson
Secretary

* Ballot vote due September 28, 2007