

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

	)	
In the Matter of	)	CPSC Docket No. 12-1
	)	CPSC Docket No. 12-2
	)	CPSC Docket No. 13-2
MAXFIELD AND OBERTON	)	
HOLDINGS, LLC	)	Hon. Dean C. Metry
and	)	
CRAIG ZUCKER, individually and as	)	
officer of MAXFIELD AND OBERTON	)	
HOLDINGS, LLC	)	
and	)	
ZEN MAGNETS, LLC	)	
STAR NETWORKS USA, LLC	)	
	)	
Respondents.	)	
	)	

**APPLICATION BY COMPLAINT COUNSEL FOR THE ISSUANCE OF  
SUBPOENA ON A NONPARTY: JULIE TEICHER**

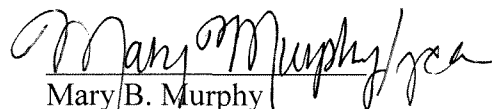
Pursuant to the Presiding Officer's Order Granting Complaint Counsel's Motion For Leave to Take Depositions dated January 7, 2014 and 16 C.F.R. § 1025.38, which requires the issuance of a subpoena to any nonparty for the purpose of compelling attendance, testimony, and production of documents at a hearing or deposition, Complaint Counsel respectfully requests that the Presiding Officer forward, and that the Commission issue, the attached subpoena.

The named party in the subpoena, Julie Teicher, is the trustee of the MOH Liquidating Trust. The MOH Liquidating Trust was established on December 21, 2012, after Maxfield and Oberton Holdings, LLC (M&O), elected to dissolve in accordance with the Delaware Limited Liability Company Act, 6 Del. C. §§ 18-801–18-806.

On August 8, 2013, Complaint Counsel served a Request for Production of Documents on Respondent Zucker. In a Response filed on September 9, 2013, Counsel for Mr. Zucker declined to produce the records and represented that the records sought in the Request for Production were no longer in Mr. Zucker's possession but had been transferred to the Trustee for the Liquidating Trust. On September 11, 2013, Ms. Teicher, in her capacity as Trustee, confirmed with Complaint Counsel that she did, in fact, acquire possession, custody, and control of M&O's business records, including Quickbook files and a Google account containing all documents and e-mail communications of M&O, its former officers, agents, employees, and representatives. These business records contain information regarding Buckyballs® and Buckycubes,™ the Subject Products in the above-captioned administrative proceeding. Ms. Teicher has advised Complaint Counsel that the files constitute all of M&O's records and that she has been provided access codes for the Google account and the Quickbook files.

Ms. Teicher has refused to produce the documents voluntarily to Complaint Counsel on behalf of M&O or the MOH Liquidating Trust. Instead, Ms. Teicher has requested that Complaint Counsel issue a subpoena to compel production of the requested documents. In the absence of the subpoena, Complaint Counsel is unable to gain access to the records of the Respondent, which are essential in the instant proceeding. Accordingly, Complaint Counsel requests that the Presiding Officer forward this application to the Commission for appropriate action.

Respectfully submitted,

  
Mary B. Murphy

Assistant General Counsel  
Division of Compliance  
Office of the General Counsel  
U.S. Consumer Product Safety Commission  
Bethesda, MD 20814  
(301) 504-7809

Jennifer Argabright, Trial Attorney  
Mary Clare Claud, Trial Attorney  
Daniel Vice, Trial Attorney

Complaint Counsel  
Division of Compliance

Dated: January 9, 2014

UNITED STATES OF AMERICA  
CONSUMER PRODUCT SAFETY COMMISSION

_____ )	CPSC Docket No. 12-1
In the Matter of )	CPSC Docket No. 12-2
)	CPSC Docket No. 13-2
MAXFIELD AND OBERTON )	
HOLDINGS, LLC )	Hon. Dean C. Metry
and )	
CRAIG ZUCKER, individually and as )	
officer of MAXFIELD AND OBERTON )	
HOLDINGS, LLC )	
and )	
ZEN MAGNETS, LLC )	
STAR NETWORKS USA, LLC )	
)	
Respondents. )	
_____ )	

**APPLICATION BY COMPLAINT COUNSEL FOR THE ISSUANCE OF  
SUBPOENA ON A NONPARTY: JULIE TEICHER**

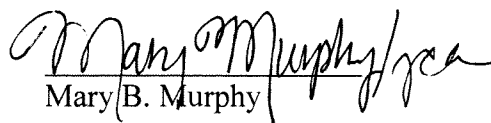
Pursuant to the Presiding Officer's Order Granting Complaint Counsel's Motion For Leave to Take Depositions dated January 7, 2014 and 16 C.F.R. § 1025.38, which requires the issuance of a subpoena to any nonparty for the purpose of compelling attendance, testimony, and production of documents at a hearing or deposition, Complaint Counsel respectfully requests that the Presiding Officer forward, and that the Commission issue, the attached subpoena.

The named party in the subpoena, Julie Teicher, is the trustee of the MOH Liquidating Trust. The MOH Liquidating Trust was established on December 21, 2012, after Maxfield and Oberton Holdings, LLC (M&O), elected to dissolve in accordance with the Delaware Limited Liability Company Act, 6 Del. C. §§ 18-801-18-806.

On August 8, 2013, Complaint Counsel served a Request for Production of Documents on Respondent Zucker. In a Response filed on September 9, 2013, Counsel for Mr. Zucker declined to produce the records and represented that the records sought in the Request for Production were no longer in Mr. Zucker's possession but had been transferred to the Trustee for the Liquidating Trust. On September 11, 2013, Ms. Teicher, in her capacity as Trustee, confirmed with Complaint Counsel that she did, in fact, acquire possession, custody, and control of M&O's business records, including Quickbook files and a Google account containing all documents and e-mail communications of M&O, its former officers, agents, employees, and representatives. These business records contain information regarding Buckyballs® and Buckycubes,™ the Subject Products in the above-captioned administrative proceeding. Ms. Teicher has advised Complaint Counsel that the files constitute all of M&O's records and that she has been provided access codes for the Google account and the Quickbook files.

Ms. Teicher has refused to produce the documents voluntarily to Complaint Counsel on behalf of M&O or the MOH Liquidating Trust. Instead, Ms. Teicher has requested that Complaint Counsel issue a subpoena to compel production of the requested documents. In the absence of the subpoena, Complaint Counsel is unable to gain access to the records of the Respondent, which are essential in the instant proceeding. Accordingly, Complaint Counsel requests that the Presiding Officer forward this application to the Commission for appropriate action.

Respectfully submitted,

  
Mary B. Murphy

Assistant General Counsel  
Division of Compliance  
Office of the General Counsel  
U.S. Consumer Product Safety Commission  
Bethesda, MD 20814  
(301) 504-7809

Jennifer Argabright, Trial Attorney  
Mary Clare Claud, Trial Attorney  
Daniel Vice, Trial Attorney

Complaint Counsel  
Division of Compliance

Dated: January 9, 2014

UNITED STATES OF AMERICA  
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of	)	CPSC Docket No. 12-1
	)	CPSC Docket No. 12-2
	)	CPSC Docket No. 13-2
MAXFIELD AND OBERTON	)	
HOLDINGS, LLC	)	Hon. Dean C. Metry
and	)	
CRAIG ZUCKER, individually and as	)	
officer of MAXFIELD AND OBERTON	)	
HOLDINGS, LLC	)	
and	)	
ZEN MAGNETS, LLC	)	
STAR NETWORKS USA, LLC	)	
Respondents.	)	

**APPLICATION BY COMPLAINT COUNSEL FOR THE ISSUANCE OF  
SUBPOENA ON A NONPARTY: JULIE TEICHER**

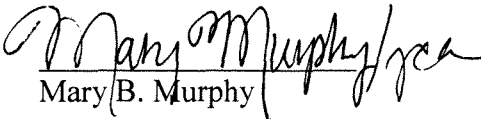
Pursuant to the Presiding Officer’s Order Granting Complaint Counsel’s Motion For Leave to Take Depositions dated January 7, 2014 and 16 C.F.R. § 1025.38, which requires the issuance of a subpoena to any nonparty for the purpose of compelling attendance, testimony, and production of documents at a hearing or deposition, Complaint Counsel respectfully requests that the Presiding Officer forward, and that the Commission issue, the attached subpoena.

The named party in the subpoena, Julie Teicher, is the trustee of the MOH Liquidating Trust. The MOH Liquidating Trust was established on December 21, 2012, after Maxfield and Oberton Holdings, LLC (M&O), elected to dissolve in accordance with the Delaware Limited Liability Company Act, 6 Del. C. §§ 18-801–18-806.

On August 8, 2013, Complaint Counsel served a Request for Production of Documents on Respondent Zucker. In a Response filed on September 9, 2013, Counsel for Mr. Zucker declined to produce the records and represented that the records sought in the Request for Production were no longer in Mr. Zucker's possession but had been transferred to the Trustee for the Liquidating Trust. On September 11, 2013, Ms. Teicher, in her capacity as Trustee, confirmed with Complaint Counsel that she did, in fact, acquire possession, custody, and control of M&O's business records, including Quickbook files and a Google account containing all documents and e-mail communications of M&O, its former officers, agents, employees, and representatives. These business records contain information regarding Buckyballs® and Buckycubes,<sup>TM</sup> the Subject Products in the above-captioned administrative proceeding. Ms. Teicher has advised Complaint Counsel that the files constitute all of M&O's records and that she has been provided access codes for the Google account and the Quickbook files.

Ms. Teicher has refused to produce the documents voluntarily to Complaint Counsel on behalf of M&O or the MOH Liquidating Trust. Instead, Ms. Teicher has requested that Complaint Counsel issue a subpoena to compel production of the requested documents. In the absence of the subpoena, Complaint Counsel is unable to gain access to the records of the Respondent, which are essential in the instant proceeding. Accordingly, Complaint Counsel requests that the Presiding Officer forward this application to the Commission for appropriate action.

Respectfully submitted,

  
Mary B. Murphy



Assistant General Counsel  
Division of Compliance  
Office of the General Counsel  
U.S. Consumer Product Safety Commission  
Bethesda, MD 20814  
(301) 504-7809

Jennifer Argabright, Trial Attorney  
Mary Clare Claud, Trial Attorney  
Daniel Vice, Trial Attorney

Complaint Counsel  
Division of Compliance

Dated: January 9, 2014

**CERTIFICATE OF SERVICE**

I hereby certify that I have provided on this date, January 9, 2014, the foregoing Application for the Issuance of Subpoena on a Non-Party: Julie Teicher, upon the Secretary, the Presiding Officer, and all parties and participants of record in these proceedings in the following manner:

Original and two copies by hand delivery to the Secretary of the U.S. Consumer Product Safety Commission: Todd A. Stevenson.

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  
U.S. Coast Guard  
U.S. Courthouse  
601 25th St., Suite 508A Galveston, TX 77550  
Janice.M.Emig@uscg.mil

One copy by electronic mail to counsel for Craig Zucker:

John R. Fleder  
Hyman, Phelps & McNamara, P.C.  
700 Thirteenth Street, N.W. Suite 1200  
Washington, DC 20005  
jfleder@hpm.com

Timothy L. Mullin, Jr. Miles & Stockbridge P.C.  
100 Light Street  
Baltimore, MD 21202  
410-385-3641 (direct dial)  
410-385-3700 (fax)  
tmullin@MilesStockbridge.com

Erika Z. Jones  
Mayer Brown LLP  
1999 K Street, N.W. Washington, D.C. 20006  
ejones@mayerbrown.com

One copy by electronic mail to the Trustee for MOH Liquidating Trust:

Julie Beth Teicher, Trustee  
MOH Liquidating Trust  
Erman, Teicher, Miller, Zucker & Freedman, P.C.  
400 Galleria Officentre, Suite 444

Southfield, MI 48034  
jteicher@ermanteicher.com

One copy by electronic mail to counsel for Respondents Zen Magnets, LLC and Star Networks USA, LLC:

David C. Japha  
The Law Offices of David C. Japha, P.C.  
950 S. Cherry Street, Suite 912  
Denver, CO 80246  
davidjapha@japhalaw.com

A handwritten signature in black ink that reads "Daniel Vice". The signature is written in a cursive style with a horizontal line underneath the name.

Daniel Vice  
Complaint Counsel