

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of)	CPSC Docket No. 12-2
)	CPSC Docket No. 13-2
)	
ZEN MAGNETS, LLC)	Hon. Dean C. Metry
STAR NETWORKS USA, LLC)	
)	
Respondents.)	
)	

COMPLAINT COUNSEL’S MOTION FOR OFFICIAL NOTICE

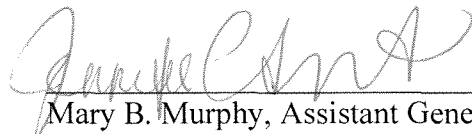
Pursuant to Consumer Product Safety Commission Regulations and the Court’s Scheduling Order, Complaint Counsel respectfully requests that the Court take official notice of the laws, standards, regulations, and consumer product safety rules that are listed below. *See* 16 C.F.R. § 1025.21(a)(10); Memorandum and Order of Pre-Hearing Conference and Scheduling Order at 1 (June 20, 2014). Commission Regulations provide that “[t]he Presiding Officer and/or the Commission may at any time take official notice upon motion of any party.” 16 C.F.R. § 1025.43(d)(2). The laws, regulations, and standards listed below are appropriate for official notice because they are “not subject to reasonable dispute.” 16 C.F.R. § 1025.43(d)(1).

Complaint Counsel requests that the Court take official notice of the following:

- The Consumer Product Safety Act, 15 U.S.C. §§ 2051-2089
- Commission Regulations at Title 16 of the Code of Federal Regulations, Part 1000 to End
- ASTM F963, Standard Consumer Safety Specification for Toy Safety, in its current version and all previous versions, including but not limited to ASTM F963-11 (current), ASTM F963-08, and ASTM F963-07
- The Federal Rules of Civil Procedure

- The Federal Rules of Evidence
- Age Determination Guidelines: Relating Children's Ages to Toy Characteristics and Play Behavior (CPSC Staff document) (September 2002),
available at <http://www.cpsc.gov/PageFiles/113962/adg.pdf>

Respectfully submitted,



Mary B. Murphy, Assistant General Counsel
Jennifer C. Argabright, Trial Attorney
Daniel Vice, Trial Attorney
Ray M. Aragon, Special Counsel

Complaint Counsel for
U.S. Consumer Product Safety Commission
Bethesda, MD 20814
(301) 504-7809

DATED: July 17, 2014

CERTIFICATE OF SERVICE

I hereby certify that I have provided on this date, July 17, 2014, Complaint Counsel's Motion for Official Notice upon the Secretary, the Presiding Officer, and all parties and participants of record in these proceedings in the following manner:

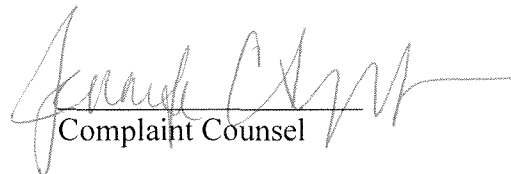
Original and three copies by hand delivery to the Secretary of the U.S. Consumer Product Safety Commission: Todd A. Stevenson.

One copy by electronic mail to the Presiding Officer for *In the Matter of 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 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


Complaint Counsel