

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of

BABY MATTERS LLC,

CPSC Docket No. 13-1

Respondent.

**PETITION TO INTERVENE ON BEHALF OF
BRIAN THIEL AND KRISTINE MAKO**

Brian Thiel and Kristine Mako move for intervention in this matter, and in conformity with 16 CFR 1025.17, state as follows:

1. Petitioners, a married couple, are the parents of Juliette Grace Thiel. Juliette died on July 9, 2010 as a direct result of defects in the Nap Nanny.
2. Petitioners' interest may be affected by the result of the proceedings in that Baby Matters has improperly continued to blame Petitioners and others for the death of their child and have refused to make the appropriate changes in the product (or recall it) in order to prevent additional deaths.
3. It is anticipated that Baby Matters will assert during these proceedings that the death of Juliette Thiel was not its fault but rather the fault of Petitioners, among others.
4. Petitioners' intervention would be of assistance in developing a sound record. Petitioners have been involved in litigation with Baby Matters, LLC in the United States District Court for the Eastern District of Michigan and have gathered evidence which could assist in fully developing the record of this matter.

5. Petitioners' intervention would not broaden the issues or delay the proceedings.
6. To the extent the showing above is not sufficient to establish Petitioners as proper parties to this matter, Petitioners request that they be allowed to participate in the proceedings as a nonparty pursuant to 16 CFR 1025.17(b).


RELIEF REQUESTED

Petitioners, Brian Thiel and Kristine Mako, request permission to intervene in this matter as a party, or in the alternative, as a participant in the proceedings as a nonparty.

Respectfully Submitted,

GIARMARCO, MULLINS & HORTON, PC

By:



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Dated: January 25, 2013

CERTIFICATE OF SERVICE

I hereby certify that I have served the attached document upon all parties and participants of record in these proceedings by mailing, postage prepaid a copy to each on January 25, 2013 at the addresses listed below:

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