



**U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814**

Daniel R. Vice
Trial Attorney
Division of Compliance
Office of the General Counsel

Tel: (301) 504-6996
Fax: (301) 504-0403
Email: dvice@cpsc.gov

January 28, 2014

BY HAND DELIVERY AND E-MAIL

Todd A. Stevenson
Secretary
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

Re: Return of Service for Subpoenas, CPSC Dockets 12-1, 12-2, 13-2

Dear Mr. Stevenson:

Pursuant to Commission regulations at 16 C.F.R. § 1025.38(f), attached please find (1) the "triplicate" copy of a Commission subpoena served by hand on Jake Bronstein on January 23, 2014, accompanied by a return of service stating the date, time, and manner of service; and (2) the "triplicate" copy of a Commission subpoena served by hand on Julie Beth Teicher on January 24, 2014, accompanied by a return of service stating the date, time, and manner of service.

Sincerely,

Daniel Vice
Complaint Counsel

cc (by e-mail): The Honorable Dean C. Metry
Timothy L. Mullin, Jr., Esq.
Erika Z. Jones, Esq.
John R. Fleder, Esq.
David C. Japha, Esq.
John Devaney, Esq.
Paul M. Laurenza, Esq.

ATTACHMENT 1

AFFIDAVIT	SAMPLE NO. N/A
STATE OF NEW YORK	COUNTY OF MANHATTAN

Before me, _____, a duly authorized employee of the Consumer Product Safety Commission, appropriately designated by the Chairman of said Commission pursuant to provisions of the Consumer Product Safety Act (sec. 27 (b) (2), 86 Stat. 1228; 15 U.S.C. 2076 (b) (2), to administer or take oaths, affirmations, and affidavits, personally appeared _____ in the county and State aforesaid, who, being first duly sworn, deposes and says:

RETURN OF SERVICE

THAT ON THIS DATE, JANUARY 23, 2014, AT 10:30 AM, I SERVED THE ATTACHED SUBPOENA BY HAND ON MR. JAKE BRONSTEIN AT 167 CANAL STREET, THIRD FLOOR, NEW YORK, NEW YORK 10013.

AFFIANT'S NAME & TITLE
MILTON SANCHEZ, PRODUCT SAFETY INVESTIGATOR

ADDRESS
U.S. CPSC, CFIEB, 2152 RALPH AVENUE, # 338, BKLYN, NEW YORK 11234

Subscribed and sworn before me at New York City, New York
(City and State)
this 23 day of January, 2014.



(Employee's Signature)

EMPLOYEE OF THE CONSUMER PRODUCT SAFETY COMMISSION ACTING IN ACCORDANCE WITH AUTHORITY GRANTED IN THE ABOVE STATED DECLARATION.

AFFIDAVIT	SAMPLE NO. N/A
STATE OF NEW YORK	COUNTY OF MANHATTAN

Before me, Milton Sanchez, a duly authorized employee of the Consumer Product Safety Commission, appropriately designated by the Chairman of said Commission pursuant to provisions of the Consumer Product Safety Act (sec. 27 (b) (2), 86 Stat. 1228; 15 U.S.C. 2076 (b) (2), to administer or take oaths, affirmations, and affidavits, personally appeared MR. JAKE BRONSTEIN in the county and State aforesaid, who, being first duly sworn, deposes and says:

RETURN OF SERVICE

THAT ON THIS DATE, JANUARY 23, 2014, INVESTIGATOR MILTON SANCHEZ FROM THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION ENTERED THIS FIRM, SHOWED CREDENTIALS AND HAND DELIVERED TO ME, MR. JAKE BRONSTEIN, FLINT and TINDER USA, LLC, LOCATED AT 167 CANAL STREET, THIRD FLOOR, NEW YORK, NEW YORK 10013, AT 10:30 AM, A SUBPOENA FROM THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION, OFFICE OF THE GENERAL COUNSEL.

AFFIANT'S SIGNATURE & TITLE

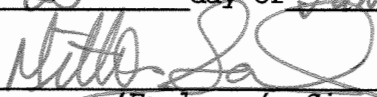
X  ALLEN JAKE BRONSTEIN

FIRM (Name and address, include ZIP Code)

FLINT and TINDER USA, LLC, 167 CANAL STREET, THIRD FLOOR, NEW YORK, NEW YORK 10013

Subscribed and sworn before me at NEW YORK CITY, New York
(City and State)

this 23 day of January, 2014.


(Employee's Signature)

EMPLOYEE OF THE CONSUMER PRODUCT SAFETY COMMISSION ACTING IN ACCORDANCE WITH AUTHORITY GRANTED IN THE ABOVE STATED DECLARATION.

TRIPLE COPY

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

2014 JAN -9 P 3:49

_____)	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)	Administrative Law Judge
CRAIG ZUCKER, individually and as)	
officer of MAXFIELD AND OBERTON)	
HOLDINGS, LLC)	
and)	
ZEN MAGNETS, LLC)	
STAR NETWORKS USA, LLC)	
)	
Respondents.)	
_____)	

TO: Mr. Jake Bronstein
Flint and Tinder USA, LLC
167 Canal Street, 3rd Floor
New York, New York 10013-4536

SUBPOENA

Staff of the U.S. Consumer Product Safety Commission (Staff) is conducting administrative litigation seeking an order determining that high-powered, small rare earth magnets, known as Buckyballs® and Buckycubes,™ present a substantial product hazard. Staff believes you, as former co-managing member of Maxfield and Oberton Holdings, LLC (M & O), possess information or have knowledge that will assist in that determination. Therefore, the Commission authorizes issuance of this Subpoena to carry out its specific regulatory functions under Section 5 and 27(b)(1), (3) & (4) of the Consumer Product Safety Act, 15 U.S.C. §§ 2054 and 2076(b)(1), (3) & (4), and 16

C.F.R. part 1025. The Subpoena requires that you produce documents and appear for a deposition.

I. GENERAL INSTRUCTIONS

A. The Commission's rules for adjudications govern this Subpoena. 16 C.F.R. part 1025. Title 165 of the Code of Federal Regulations, Section 1025.38 sets forth procedures for motions to quash or modify the terms of this Subpoena.

B. This Subpoena shall be answered by you.

C. The public disclosure of any information provided to the Commission under Subpoena shall be governed by the Freedom of Information Act, 5 U.S.C. § 552 and the Commission's regulations under that Act, 16 C.F.R. part 1015. If you wish to request confidential treatment for any information provided, you should submit a request for such treatment with responsive documents. Questions about this Subpoena should be directed to Mary Clare Claud, Trial Attorney, U.S. Consumer Product Safety Commission, Office of the General Counsel, Division of Compliance, Suite 708-B, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-7264; e-mail: mcclaud@cpsc.gov.

D. Each document production request seeks production of all documents described herein, and any attachments thereto, in your possession, custody, or control, or in the possession, custody, or control of any of your attorneys, employees, agents, or representatives, and all documents and any attachments that you or any of your attorneys, employees, agents, or representatives have the legal right to obtain, or have the ability to obtain from sources under your or their control.

E. The words “and” and “or” shall be construed conjunctively or disjunctively, as necessary, to make the request inclusive rather than exclusive. The word “including” shall be construed to mean without limitation. The words “any” and “all” shall be construed to make the request inclusive rather than exclusive.

F. The use of the past tense shall include the present tense, and the use of the present tense shall include the past tense, to make all definitions and discovery requests inclusive rather than exclusive. The singular shall include the plural and vice versa.

G. To the extent that you withheld, based upon a claim of privilege, any information or documents (including electronic records) that would have been responsive to any information or document production requests contained in the Subpoena, provide the following information:

1. For any document withheld, specify the privilege claimed and the factual basis you contend supports the assertion of the privilege, and identify the document as follows: (a) state the date, nature, and subject matter of the document; (b) identify each author of the document; (c) identify each preparer of the document; (d) identify each person who is an addressee or an intended recipient of the document; (e) identify each person from whom the document was received; (f) state the present location of the document and all copies thereof; (g) identify each person who has, or ever had, possession, custody, or control of the document or any copy thereof; (h) state the number of pages, attachments, appendices, and exhibits; and (i) provide all further information concerning the document and the circumstances upon which the claim of privilege is asserted.

2. Regarding any communication withheld, identify the persons or entities among whom the communication took place, the date of the communication, and the subject.

H. Your response is due ten (10) business days from the date of service of the Subpoena.

I. In an affidavit accompanying the response to the Subpoena, you must include a statement, signed under oath or affirmation, indicating that a diligent search of all files, records, and databases for responsive information and documents has been made, that the information contained in the responses to the questions is complete and accurate, and that you have produced true copies of all the documents requested in the Subpoena.

J. Submit your response to the Subpoena to Mary Clare Claud, Trial Attorney, U.S. Consumer Product Safety Commission, Office of the General Counsel, Division of Compliance, Suite 708-B, 4330 East West Highway, Bethesda, MD 20814. Direct any questions you have concerning the Subpoena to Mary Clare Claud at (301) 504-7264; e-mail: mcclaud@cpsc.gov. Where possible, documents should be provided electronically in native file format.

K. Your obligation to respond to the Subpoena is a continuing one. As additional information becomes available to you that is responsive to the Subpoena, you must submit that information immediately.

II. DEFINITIONS

For the purposes of the Subpoena, the following definitions apply:

1. “M & O” means Maxfield and Oberton Holdings, LLC, a Delaware limited liability company, which filed a Certificate of Cancellation on December 27, 2012, with its most recent principal place of business located at 180 Varick Street, Suite 212, New York, NY 10014, including any agent, subsidiary, affiliate, successor, or predecessor entity, as well as all past and present officers, directors, representatives, agents, and employees of Maxfield and Oberton Holdings, LLC.

2. “Person” means any natural person, entity, group, corporation, company, partnership, joint venture, firm, association, proprietorship, agency, board, authority, commission, officer, or other business or legal entity, whether private or governmental, and whether foreign or domestic.

3. “Subject Products” means Buckyballs® and Buckycubes.™

4. “Documents” mean the original and any nonidentical copy of any written, printed, reproduced, graphic, photographic, electronic, audio, visual, or computer records, however produced or reproduced, of any kind or description, whether prepared by you or by any other person, that is in your possession, custody, or control, including, but not limited to, the following: electronic mail; electronically stored information; papers; notes; books; letters; telecopies; facsimiles; photographs; motion pictures; videotapes; video disks; audio recordings; drawings; schematics; manuals; blueprints; intra- and interoffice communications; transcripts; minutes; reports; audio recordings; affidavits; statements; pleadings; summaries; indices; analyses; evaluations; agreements; calendars; appointment books; diaries; telephone logs; tabulations; charts; graphs; data sheets; computer tapes, disks, cards, printouts, and programs; microfilm; microfiche; social media communications, including, but not limited to, information posted on or transmitted

through social networking platforms (*e.g.*, MySpace and Facebook), digital file-sharing services (*e.g.*, Flickr), blogs and microblogs (*e.g.*, Twitter); instant messages, customer reviews and/or comments posted on the M&O's website(s) relating to the Subject Products; all accounts, entries, ledgers, budgets or other information found in Quickbook ledgers and entries and all drafts, alterations, and/or amendments of, or to, any of the foregoing. The term includes all drafts of a document and all copies that differ in any respect from the original, including any notation, underlining, marking, or information not on the original. The term also includes information stored in or accessible through computer or other information retrieval systems (including computer archives or backup systems), together with instructions and all other materials necessary to use or interpret such data compilations.

5. "Communication(s)" shall mean any transfer of information, ideas, opinions, or thoughts by any means, at any time or place, under any circumstances, including, but not limited to, any transfer of information or data in a document, or from one location to another, by electrical, electronic, digital, or other means.

6. "Relating to" or "related to" shall mean consisting of, referring to, describing, discussing, constituting, evidencing, containing, mentioning, concerning, pertaining to, citing, summarizing, analyzing, or bearing any logical or factual connection to the matter discussed.

III. Subpoena Ad Testificandum and Duces Tecum

You are ordered to appear at the Commission's headquarters at 4330 East West Highway, Bethesda, MD 20814 to testify regarding the matters referred to above twenty

(20) days after issuance of subpoena, or a date mutually agreeable to the parties, and continuing thereafter until your testimony is concluded.

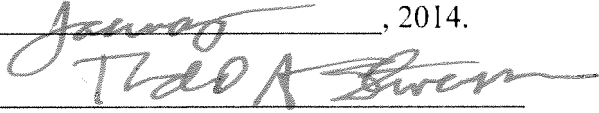
You are also directed to produce at the Commission's headquarters at 4330 East West Highway, Bethesda, MD 20814 within ten (10) days of issuance of the subpoena and prior to testifying at the deposition above, copies of all records in your possession, custody, or control relating to:

- 1) Any and all documents relating to M&O's development of the Subject Products, advertising of the Subject Products; and sale of the Subject Products;
- 2) Any and all documents relating to your involvement and role in the formation and day to day operations of M&O; and
- 3) Any and all documents relating to communications between you and any other persons relating to the Subject Products.

BY ORDER OF THE COMMISSION

The undersigned, an authorized official of
the U.S. Consumer Product Safety Commission,
has hereto set his hand and caused the seal
of the Commission to be affixed at
Bethesda, MD, this 17th day of

January, 2014.



Todd A. Stevenson

Secretary

U.S. Consumer Product Safety Commission

ATTACHMENT 2

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

RETURN OF SERVICE


I, Yolanda Tiano, having been duly authorized to serve the attached Subpoena,
hereby depose and say:

I am over the age of 18, and my business address is 30428 Milford Road #305,
New Hudson, MI 48165.

At 10:45 a.m. on the 24th day of January, 2014, I personally served the attached
subpoena by hand on Julie Beth Teicher at Erman, Teicher, Miller, Zucker & Freedman,
P.C., 400 Galleria Officentre, Suite 444, Southfield MI 48304.

I declare under penalty of perjury under the laws of the United States of America
that the foregoing information is true and correct.

1/24/14
Date


Signature

TRIPPLICATE

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

2014 JAN -9 P 3:49

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.)	

TO: Ms. Julie Beth Teicher
Trustee of MOH Liquidating Trust
Erman, Teicher, Miller, Zucker &
Freedman, P.C.
400 Galleria Officentre, Suite 444
Southfield, MI 48034

SUBPOENA

Staff of the U.S. Consumer Product Safety Commission (staff) is conducting administrative litigation seeking an order determining that high-powered, small rare earth magnets, known as Buckyballs® and Buckycubes,™ present a substantial product hazard. Based upon your representations and those of counsel for Respondent Craig Zucker, staff believes that you, as the trustee of the MOH Liquidating Trust, to whom Maxfield and Oberton Holdings, LLC (M&O), entrusted business records after filing a Certificate of Cancellation on December 27, 2012, possess information or have knowledge that will assist in that determination. Therefore, the Commission authorizes

issuance of this Subpoena to carry out its specific regulatory functions under Section 5 and 27(b)(1), (3) & (4) of the Consumer Product Safety Act, 15 U.S.C. §§ 2054 and 2076(b)(1), (3) & (4), and 16 C.F.R. part 1025. The Subpoena requires that you produce documents and appear for a deposition.

I. GENERAL INSTRUCTIONS

A. The Commission's rules for adjudications govern this Subpoena. 16 C.F.R. part 1025. Title 165 of the Code of Federal Regulations, section 1025.38 sets forth procedures for motions to quash or modify the terms of this Subpoena.

B. This Subpoena shall be answered by you.

C. The public disclosure of any information provided to the Commission under Subpoena shall be governed by the Freedom of Information Act, 5 U.S.C. § 552 and the Commission's regulations under that Act, 16 C.F.R. part 1015. If you wish to request confidential treatment for any information provided, you should submit a request for such treatment with responsive documents. Questions about this Subpoena should be directed to Jennifer C. Argabright, Trial Attorney, U.S. Consumer Product Safety Commission, Office of the General Counsel, Division of Compliance, Suite 708-A, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-7808.

D. Each document production request seeks production of all documents described herein, and any attachments thereto, in your possession, custody, or control, or in the possession, custody, or control of any of your attorneys, employees, agents, or representatives, and all documents and any attachments that you or any of your attorneys, employees, agents, or representatives have the legal right to obtain, or have the ability to obtain from sources under your or their control.

E. The words “and” and “or” shall be construed conjunctively or disjunctively, as necessary, to make the request inclusive rather than exclusive. The word “including” shall be construed to mean without limitation. The words “any” and “all” shall be construed to make the request inclusive rather than exclusive.

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2. Regarding any communication withheld, identify the persons or entities among whom the communication took place, the date of the communication, and the subject.

H. Your response is due **ten (10) business days** from the date of service of the Subpoena.

I. In an affidavit accompanying the response to the Subpoena, you must include a statement, signed under oath or affirmation, indicating that a diligent search of all files, records, and databases for responsive information and documents has been made, that the information contained in the responses to the questions is complete and accurate, and that you have produced true copies of all the documents requested in the Subpoena.

J. Submit your response to the Subpoena to Jennifer C. Argabright, Trial Attorney, U.S. Consumer Product Safety Commission, Office of the General Counsel, Division of Compliance, Suite 710-F, 4330 East West Highway, Bethesda, MD 20814. Direct any questions you have concerning the Subpoena to Jennifer C. Argabright (Tel: 301-504-7808); e-mail: jargabright@cpsc.gov. Where possible, documents should be provided electronically in native file format.

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1. “M&O” means Maxfield and Oberton Holdings, LLC, a Delaware limited liability company, which filed a Certificate of Cancellation on December 27, 2012, with its most recent principal place of business located at 180 Varick Street, Suite 212, New York, NY 10014, including any agent, subsidiary, affiliate, successor or predecessor entity, as well as all past and present officers, directors, representatives, agents and employees of Maxfield and Oberton Holdings, LLC.

2. “Trust Agreement” means the Liquidating Trust Agreement entered into on December 21, 2012, between M&O and Julie Beth Teicher and attached hereto as Exhibit A.

3. “MOH Trust” means the liquidating trust that was established pursuant to the Trust Agreement.

4. “Craig Zucker” means Craig Zucker, chief executive officer, managing member of M&O, and signatory to the Trust Agreement.

5. “Person” means any natural person, entity, group, corporation, company, partnership, joint venture, firm, association, proprietorship, agency, board, authority, commission, officer, or other business or legal entity, whether private or governmental, and whether foreign or domestic.

6. “Subject Products” means Buckyballs® and Buckycubes.™

7. “Documents” mean the original and any nonidentical copy of any written, printed, reproduced, graphic, photographic, electronic, audio, visual, or computer records, however produced or reproduced, of any kind or description, whether prepared by you or by any other person, that is in your possession, custody, or control, including, but not limited to, the following: electronic mail; electronically stored information; papers; notes;

books; letters; telecopies; facsimiles; photographs; motion pictures; videotapes; video disks; audio recordings; drawings; schematics; manuals; blueprints; intra- and interoffice communications; transcripts; minutes; reports; audio recordings; affidavits; statements; pleadings; summaries; indices; analyses; evaluations; agreements; calendars; appointment books; diaries; telephone logs; tabulations; charts; graphs; data sheets; computer tapes, disks, cards, printouts, and programs; microfilm; microfiche; social media communications, including, but not limited to, information posted on or transmitted through social networking platforms (*e.g.*, MySpace and Facebook), digital file-sharing services (*e.g.*, Flickr), blogs and microblogs (*e.g.*, Twitter); instant messages, customer reviews and/or comments posted on the M&O's website(s) relating to the Subject Products; all accounts, entries, ledgers, budgets or other information found in Quickbook ledgers and entries and all drafts, alterations, and/or amendments of, or to, any of the foregoing. The term includes all drafts of a document and all copies that differ in any respect from the original, including any notation, underlining, marking, or information not on the original. The term also includes information stored in or accessible through computer or other information retrieval systems (including computer archives or backup systems), together with instructions and all other materials necessary to use or interpret such data compilations.

8. "Google files" shall mean any files and/or documents provided to you by M&O, its agents or representatives, subsequent to establishment of the MOH Trust on December 21, 2012, including, but not limited to, Gmail accounts of any and all former owners, managers, and employees of M&O, as well as documents or any other materials contained in the Google file account made available to you as Trustee.

9. “Quickbook files” shall mean any files and/or documents provided to you by M&O, its agents or representatives, after establishment of the MOH Trust on December 21, 2012, which contain the bookkeeping files of M&O, its former managers, officer, or employees.

10. “Communication(s)” shall mean any transfer of information, ideas, opinions, or thoughts by any means, at any time or place, under any circumstances, including, but not limited to, any transfer of information or data in a document, or from one location to another, by electrical, electronic, digital, or other means.

11. “Relating to” or “related to” shall mean consisting of, referring to, describing, discussing, constituting, evidencing, containing, mentioning, concerning, pertaining to, citing, summarizing, analyzing, or bearing any logical or factual connection to the matter discussed.

III. Subpoena Ad Testificandum and Duces Tecum

You are ordered to appear at the Commission’s headquarters at 4330 East West Highway, Bethesda, MD 20814 to testify regarding the matters referred to above twenty (20) days after this application is made, or a date mutually agreeable to the parties, and continuing thereafter until your testimony is concluded.

You are also directed to produce at the Commission’s headquarters at 4330 East West Highway, Bethesda, MD 20814 ten (10) days after issuance of this subpoena and prior to testifying at the deposition above, copies of all records in your possession, custody, or control relating to:

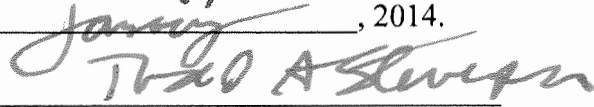
- 1) any and all M&O business records provided to you that relate to the Subject Products and that were provided pursuant to the Trust Agreement, including

without limitation, all Google files and Quickbook files, including M&O's "electronically stored information," as that term is used in paragraph 9.3 of the Trust Agreement, together with all passwords, source codes, and other information that will allow access to such "electronically stored information."

- 2) Any and all communications and documents provided by Craig Zucker to you that relate to the Subject Products, including, without limitation, all "electronically stored information" as that term is used in the Trust Agreement, together with all passwords, source codes, and other information that will allow access to such "electronically stored information."
- 3) Any and all communications and documents relating to the Subject Products provided by any manager, employee, agent or representative of M&O, including, but not limited to, Reid Synenberg, head of operations for M&O from approximately May 2011 to December 2012, to MOH Trust.
- 4) All user names, passwords, source codes, or other information that will allow access to getbuckyballs.com Google account.
- 5) All user names, passwords, source codes, or other information that will allow access to M&O Quickbook files.
- 6) All user names, passwords, source codes, or other information that will allow access to any information relating to the Subject Products stored by a cloud-based service provider on behalf of Craig Zucker or M&O, its agents or representatives.

BY ORDER OF THE COMMISSION

The undersigned, an authorized official of
the U.S. Consumer Product Safety Commission,
has hereto set his hand and caused the seal
of the Commission to be affixed at
Bethesda, MD, this 17th day of
January, 2014.



Todd A. Stevenson
Secretary
U.S. Consumer Product Safety Commission