

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

COMPLAINT COUNSEL’S MOTION FOR LEAVE TO TAKE DEPOSITIONS

Pursuant to 16 C.F.R. § 1025.35, and for the reasons stated in Complaint Counsel’s Memorandum in Support of Motion for Leave to Take Depositions, filed herewith, Complaint Counsel respectfully seeks leave of the Court to take the depositions upon oral examination of the following individuals in the instant matter:

1. Reid Synenberg, former Head of Operations at Maxfield & Oberton Holdings, LLC (“M&O”). Mr. Synenberg is believed to have relevant information regarding the design and development of the Subject Products, the design and manufacturing of the packaging, labels and warnings for the Subject Products, M&O’s compliance programs, and the marketing, advertising and promotion of the Subject Products. As M&O’s Head of Operations, Mr. Synenberg also should have information on M&O’s decision to file dissolution papers in December 2012.

2. Bethel Costello, former head of wholesale customer service/compliance for Maxfield and Oberton Holdings, LLC. Ms. Costello is believed to have relevant information regarding the Subject Products and M&O's safety and regulatory compliance programs, marketing, advertising and promotion of the Subject Products, and the activities of M&O's customer service department.

3. Alexis Lewites, former M&O Accounting Manager. Ms. Lewites is believed to have relevant information regarding the Subject Products and M&O's compliance programs. As Accounting Manager, she also should have relevant information on M&O's sales and finances.

4. Carol Pollack-Nelson, a human factors consultant for M&O. Dr. Pollack-Nelson addressed age grading, age labeling and/or age determination with regard to the Subject Products, and also was involved in creating and designing packaging and warnings for the Subject Products. She also played a role in drafting M&O's Responsible Seller Agreement.

5. James M. Miller, P.E., Ph.D., Miller Engineering, a proposed expert witness identified by Respondent Zucker.

6. Mr. Gene Rider, Rider Technologies, a proposed expert witness identified by Respondent Zucker.

7. John F. Morrall, III, Ph.D., Morrall Economics, a proposed expert witness identified by Respondent Zucker.

8. Anthony J. Pelletier, Ph.D., The Bishop's School, a proposed expert witness identified by Respondents Zen and Star Networks ("Star").

9. Dr. Boyd Edwards, Utah State University Uintah Basin, a proposed expert witness identified by Respondents Zen and Star.

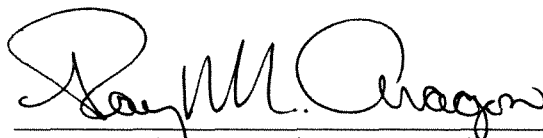
10. David A. Richter, Ph.D., Western Michigan University, a proposed expert witness identified by Respondents Zen and Star.

11. Eric Sigurdson, Operations Manager at Zen. Mr. Sigurdson is responsible for day-to-day operational matters at Zen, and as such has access to customer service and complaint information, order fulfillment, and information regarding the claims and defenses in this case.

12. David Adel, co-founder and co-owner of Respondent Star. Mr. Adel has knowledge of all areas of the Star's operations, including development, manufacture, marketing and sale of the Subject Products, and provided information for Star's discovery responses.

If the Presiding Officer grants this Motion, Complaint Counsel will serve written notice of the depositions on all parties and the Presiding Officer at least ten (10) days before the date noticed for the deposition, as required by 16 C.F.R. § 1025.35(b).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ray M. Aragon", is written over a horizontal line.

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

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