

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

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In the Matter of)	CPSC Docket No: 12-1
)	CPSC Docket No: 12-2
)	CPSC Docket No: 13-2
MAXFIELD AND OBERTON)	
HOLDINGS, LLC)	
AND)	
CRAIG ZUCKER, individually and as)	
an officer of)	
MAXFIELD AND OBERTON)	
HOLDINGS, LLC)	
AND)	HON. DEAN C. METRY
ZEN MAGNETS, LLC)	
AND)	
STAR NETWORKS USA, LLC)	
)	
)	
Respondents.)	
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ORDER REGARDING COMPLAINT COUNSEL’S EXPEDITED MOTION

On March 31, 2014, Respondent Craig Zucker filed three (3) separate Motions to Compel related to discovery responses of the Consumer Product Safety Commission (CPSC). On this same date, Complaint Counsel filed a Motion to Compel Discovery.

On April 2, 2014, Complaint Counsel filed an Expedited Motion to Stay Respondent Craig Zucker’s Motions to Compel or for Extension of Time (Expedited Motion). In the Expedited Motion, Complaint Counsel asserts that “Complaint Counsel understood that the parties should attempt to resolve discovery disputes amongst themselves before asking the Court to intervene.” Complaint Counsel suggests that prior to filing the Motions to Compel, Mr. Zucker made no attempt to confer concerning CPSC’s discovery responses.

Complaint Counsel further suggests that “[i]n the interest of efficient litigation and judicial economy, parties should first attempt to resolve discovery disputes amongst themselves before seeking intervention of the court.” Noting that although CPSC regulations do not have meet and confer requirements, Counsel suggests it would be beneficial to both the parties and the undersigned if CPSC and Mr. Zucker “engage in a good faith effort to meet and confer to resolve as many issues as possible.”

A preliminary review of the filings indicates CPSC has failed to meet its discovery obligations. See 16 C.F.R. § 1025.37 (explaining the Presiding Officer may issue sanctions for failure to comply with discovery orders). Further, the parties have had ample time to attempt to work out discovery disputes, and have apparently been unable to do so. See 16 C.F.R. § 1025.1 (“A major concern on the Commission is that all matters in adjudication move forward in a timely manner, consistent with the Constitutional due process rights of all parties.”). Non-responsive or incomplete discovery responses serve only to delay the proceeding.

However, the undersigned also encourages cooperation amongst the parties and will not stifle a collaborative effort to resolve discovery disputes. The undersigned will therefore grant a brief extension of time for the parties to confer, and for both parties to file responses to the Motions to Compel. However, all parties are expected to comply with the deadlines set forth below.

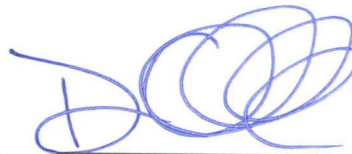
WHEREFORE,

IT IS HEREBY ORDERED THAT all parties shall file a detailed update as to the status of discovery not later than **Monday, April 7, 2014.**

IT IS FURTHER ORDERED THAT the parties may confer; however, the responses to the Motions to Compel filed on March 31, 2014 are due not later than **Friday, April 18, 2014.**

SO ORDERED.

Done and dated this 3rd day of April, 2014, at
Galveston, TX



DEAN C. METRY
Administrative Law Judge