

UNITED STATES OF AMERICA  
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of	)	CPSC DOCKET 12-1
	)	CPSC DOCKET 12-2
MAXFIELD AND OBERTON HOLDINGS, LLC	)	CPSC DOCKET 13-2
ZEN MAGNETS, LLC	)	(Consolidated)
STAR NETWORKS USA, LLC	)	
Respondents.	)	Hon. Dean C. Metry
	)	Administrative Law Judge

**RESPONDENT CRAIG ZUCKER’S RESPONSE TO COMPLAINT COUNSEL’S  
MOTION TO COMPEL DISCOVERY AND CROSS-MOTION FOR PROTECTIVE  
ORDER**

Respondent Craig Zucker (“Respondent” or “Mr. Zucker”) submits this response to Complaint Counsel’s Motion to Compel Discovery and Cross-Motion for Protective Order:

1. On or about March 31, 2014, Complaint Counsel filed its Motion to Compel Discovery.
2. In its motion, Complaint Counsel seeks to obtain from Mr. Zucker certain information that this court permitted Complaint Counsel to obtain in its order dated March 26, 2014. The documents sought to be compelled fit into two categories: a) financial records of Maxfield and Oberton Holdings, LLC (“M&O”) in the possession of Mr. Zucker; and b) documents relating to Mr. Zucker’s compensation by M&O.
3. In his discovery responses, Mr. Zucker objected to producing any documents “to the extent they seek information from Mr. Zucker that is contained in the business records of M&O on the basis that it constitutes an undue burden and expense on Mr. Zucker to obtain information when the information is equally available to Complaint Counsel from the MOH Liquidating Trust (the “Liquidating Trust”) and the burden of obtaining those documents is

substantially the same for Complaint Counsel as it is for Mr. Zucker.” Respondent’s Response to Complaint Counsel’s First Set of Production of Documents and Things to Craig Zucker, Objection 5.

4. Complaint Counsel has already served a subpoena on the Liquidating Trust, seeking precisely the same documents it now seeks for obtain from Mr. Zucker, and the Liquidating Trust has responded to the subpoena.

5. It is certainly oppressive, unduly burdensome and expensive to require Mr. Zucker to produce documents from a dissolved company, when Complaint Counsel has already obtained those documents from a third party (the Liquidating Trust) which was the recipient of all of the records of M&O. It is similarly unduly burdensome and expensive to require Mr. Zucker to produce records relating to his compensation by M&O, when Complaint Counsel has already obtained those documents from the Liquidating Trust. The only basis Complaint Counsel has provided for requiring Mr. Zucker to provide duplicative documents is vague allegations that the records produced by the Liquidating Trust may be incomplete.

6. It is important to remember that Mr. Zucker is a private citizen, who denies the very right of Complaint Counsel to name him as a respondent in this case. Complaint Counsel should not be able to add to Mr. Zucker’s burden by requesting he produce documents already in the possession of Complaint Counsel.

7. The Rules for Adjudicative Proceedings, 16 C.F.R. § 1025.31(d) authorizes the Presiding Officer, on motion of party for good cause shown, to issue an order protecting a party from “oppression, or undue burden or expense . . . .”

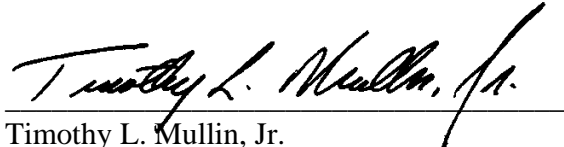
WHEREFORE, Respondent Craig Zucker respectfully requests the entry of an Order:

A. Denying Complaint Counsel’s Motion to Compel Discovery; and

- B. Entering a Protective Order pursuant to 16 C.F.R. § 1025.31(d); and
- C. Granting to Respondent Craig Zucker such other and further relief as

justice and its cause require.

Dated: April 18, 2014



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Co-Counsel for Respondent, Craig Zucker

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of April, 2014, a true and correct copy of the foregoing Respondent Craig Zucker's Response to Complaint Counsel's Motion to Compel Discovery and Cross Motion for Protective Order was served on all parties and participants of record in these proceedings in the following manner:

Original and three copies by U.S. mail, and one copy by electronic mail, to the Secretary of the U.S. Consumer Product Safety Commission:

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

One copy by U.S. mail and one copy by electronic mail to the Presiding Officer for *In the Matter of Maxfield and Oberton Holdings, LLC*, CPSC Docket No. 12-1; *In the Matter of Zen Magnets, LLC*, CPSC Docket No. 12-2, and *In the Matter Of Star Networks UA, LLC*, CPSC Docket No. 13-2:

The Honorable Dean C. Metry  
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One copy by electronic mail (by agreement) to Complaint Counsel:

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One copy by electronic mail (by agreement) to counsel for Respondents Zen Magnets, LLC and Star Networks USA, LLC:

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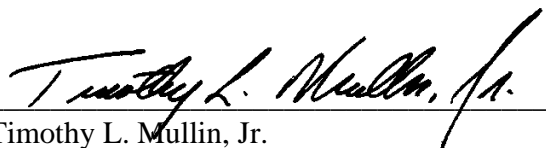
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One copy by electronic mail (by agreement) to counsel for MOH Liquidating Trust:

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