Attachment 2
UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of

BABY MATTERS LLC,

CPSC DOCKET NO. 13-1

Respondent.

LIST AND SUMMARY OF DOCUMENTARY EVIDENCE

Pursuant to 16 C.F.R. § 1025.11(b)(3) of the Commission’s Rules of Practice for Adjudicative Proceedings, the following is a list and summary of documentary evidence supporting the charges in this matter. Complaint Counsel reserves the right to offer additional evidence during the course of the proceedings.

1. Claims, complaints, medical records, and reports concerning incidents involving the Nap Nanny® and Nap Nanny® Chill™ infant reeliners (Subject Products) and similar products.

2. Communications from consumers regarding their purchase of the Subject Products for infants, including their attention to, and understanding of, the Subject Products’ warnings, labeling, and instructions for use.

3. Documents evidencing the product warnings, labeling, and packaging since the introduction of Nap Nanny® products in 2009.

4. Advertisements, marketing, and promotional materials for Nap Nanny® products, including print and Web media, since 2009.

5. Correspondence between Respondent and CPSC staff regarding failure of the harness
system and inadequacy of instructions and labeling in the Subject Products and
subsequent changes by Respondent to marketing, warnings, and instructions
regarding the Subject Products.

6. CPSC Product Safety Assessments from the Directorate for Engineering Sciences, the
Directorate of Economic Analysis, the Division of Health Sciences, and the Division
of Human Factors concerning the Subject Products.

7. Documentary evidence regarding changes to the packaging, labeling, and instructions
of the Subject Product since 2009.

8. Technical records, technical analyses, and evaluations of the Subject Products
conducted by or for Respondent.

9. Technical records, technical analyses, and evaluations of the Subject Products and
similar products, and summaries thereof, from outside expert witnesses retained by
CPSC staff for the purposes of litigation.

10. Information provided by Respondent to Commission staff pertaining to the Subject
Products.

11. Public notices issued by the Commission regarding the Subject Product and similar
products.

12. Information provided by consumers pertaining to any products liability, personal
injury, wrongful death, or other lawsuits filed against Respondent in connection with
the Subject Products.

Dated this 4th day of December, 2012.

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