

UNITED STATES OF AMERICA  
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of

BRITAX CHILD SAFETY, INC.,

Respondent.

CPSC DOCKET NO.: 18-1

**AFFIDAVIT OF COUNSEL IN SUPPORT OF  
RESPONDENT BRITAX CHILD SAFETY INC.'S  
RESPONSE TO ORDER REGARDING APPOINTMENT,  
MOTION TO DISQUALIFY PRESIDING OFFICER,  
AND MOTION FOR A STAY  
PENDING RESOLUTION OF THE MOTION TO DISQUALIFY**

I, Adam C. Sloane, hereby state that:

1. My name is Adam C. Sloane. I am over twenty-one (21) years of age and am competent to make this affidavit.
2. I make this affidavit upon personal knowledge.
3. I am an attorney licensed to practice law in Washington, DC. In addition, I have been admitted to practice before the United States District Court for the District of Columbia, the United States Court of Appeals for the District of Columbia Circuit, the United States Courts of Appeals for the Fourth, Fifth, Sixth, Ninth, and Eleventh Circuits, and the United States Supreme Court.
4. My position is Counsel at Mayer Brown LLP, located at 1999 K Street, N.W., Washington, DC, 20006, with the telephone number of (202) 263-3269.

5. I am a counsel of record for Respondent Britax Child Safety Inc. (“Britax”) in the above-referenced proceeding and I make this affidavit in support of the Respondent Britax Child Safety Inc.’s Response to Order Regarding Appointment, Motion to Disqualify Presiding Officer, and Motion for a Stay Pending Resolution of the Motion to Disqualify (hereinafter, “Britax Motion”).

6. To the best of my knowledge, information, and belief, the arguments and quotations in the Britax Motion derived from or referring to documents in CPSC Docket No. 18-1 are accurate and are derived from copies of publicly available documents in CPSC Docket No. 18-1 that I either personally downloaded from the electronic docket or received via email or U.S. Mail in my capacity as a counsel of record in the proceeding.

7. To the best of my knowledge, information, and belief, the arguments and quotations in the Britax Motion derived from or referring to other documents are accurate and are derived from copies of publicly available documents downloaded from electronic sources, such as the U.S. Supreme Court’s website (in the case of the arguments and citations concerning *Lucia v. SEC*, No. 17-130 (U.S. Sup. Ct. June 21, 2018)); the website of the Securities and Exchange Commission (“SEC”) (in the case of notices released by the SEC); the Whitehouse.gov website (in the case of the cited Executive Order); the Chief Human Capital Officers Council website administered by the Office of Personnel Management (“OPM”) (in the case of the cited OPM document); and a Reuters news website (in the case of the cited and quoted Solicitor General’s memorandum).

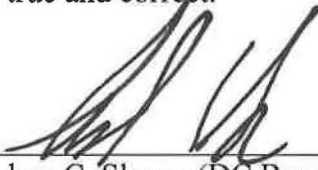
8. To the best of my knowledge, information, and belief, materials cited or quoted from the U.S. Code of Federal Regulations or U.S. Statutes cite the latest official versions of the regulations and statutory provisions relied upon in the Britax Motion.

9. In the course of assisting in the preparation of the Britax Motion, I personally downloaded or otherwise located the cited materials, and I endeavored to check and recheck the citations, quotations, and characterizations for accuracy.

10. Based on these efforts, my past experience, and information acquired in the course of my professional duties as an attorney, to the best of my knowledge, information, and belief, the factual contentions, citations, and quotations set forth in Britax Motion are true, complete, and accurate, and the legal arguments set forth therein reflect good faith statements of the law or good faith arguments for the extension of previously-articulated law.

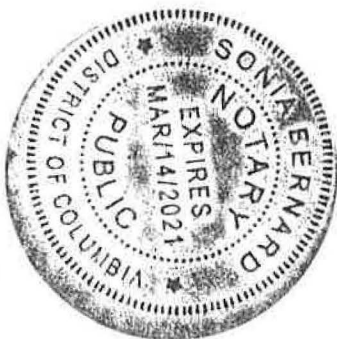
I declare under penalty of perjury that the foregoing is true and correct.

8/20/2018  
Date

  
Adam C. Sloane (DC Bar # 443272)

SUBSCRIBED AND SWORN before me this 20th day of August, 2018.

Sarah Berner.  
Notary Public



## CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2018, a true and correct copy of Affidavit of Counsel in Support of Respondent Britax Child Safety Inc.'s Response to Order Regarding Appointment and Motion for a Stay Pending Resolution of the Appointment Issues was by electronic mail ("Email") on the Secretary of the U.S. Consumer Product Safety Commission, and all parties and participants of record in this proceeding in the following manner:

Service by Email to the Presiding Officer:

The Honorable Cameron Elliot  
Office of Administrative Law Judges  
Securities and Exchange Commission  
100 F Street, NE  
Mail Stop 2582  
Washington, DC 20549  
ALJ@SEC.GOV

Service by Email to the Secretary:

Alberta Mills  
Secretary  
U.S. Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814  
amills@cpsc.gov

Service by Email to Complaint Counsel:

Mary B. Murphy  
Complaint Counsel and Assistant General Counsel  
Division of Compliance  
U.S. Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814  
mmurphy@cpsc.gov

Philip Z. Brown, Trial Attorney  
Gregory M. Reyes, Trial Attorney  
Daniel Vice, Trial Attorney  
Complaint Counsel  
Division of Compliance  
U.S. Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814  
pbrown@cpsc.gov  
greyes@cpsc.gov  
dvice@cpsc.gov

Service by Email to co-counsel for Britax Child Safety, Inc.:

Erika Z. Jones  
Adam C. Sloane  
Mayer Brown LLP  
1999 K Street, NW  
Washington, DC 20006  
ejones@mayerbrown.com  
asloane@mayerbrown.com



---

Timothy L. Mullin, Jr.