UNITED STATES OF AMERICA CONSUMER PRODUCT SAFETY COMMISSION

IN THE MATTER OF LEACHCO, INC.,

Respondent.

CPSC Docket No. 22-1

HON. MICHAEL G. YOUNG Presiding Officer

LEACHCO, INC.'S NOTICE OF FILING EXPERT TESTIMONY

Pursuant to the Court's Order on Prehearing Schedule, Dkt. 35, and 16 C.F.R. § C.F.R. § 1025.44(b), Respondent Leachco, Inc. submits for in camera review, the expert report of Peggy Shibata.

DATED: April 28, 2023.

JOHN F. KERKHOFF Ohio Bar No. 0097134

FRANK D. GARRISON

Indiana Bar No. 34024-49

JESSICA L. THOMPSON

North Carolina Bar No. 48112

Pacific Legal Foundation

3100 Clarendon Boulevard, Suite 610

Arlington, VA 22201

Telephone: 202.888.6881 Fax: 916.419.7747

JKerkhoff@pacificlegal.org

FGarrison@pacificlegal.org

JThompson@pacificlegal.org

Respectfully submitted,

OLIVER J. DUNFORD

Florida Bar No. 1017791

Pacific Legal Foundation

4440 PGA Blvd., Suite 307

Palm Beach Gardens, FL 33410

Telephone: 916.503.9060

Fax: 916.419.7747

ODunford@pacificlegal.org

Counsel for Respondent Leachco, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2023, I served, by electronic mail, the foregoing Leachco, Inc.'s Notice of Filing of Expert Testimony upon all parties and participants of record in these proceedings:

Honorable Michael G. Young Federal Mine Safety and Health Review

Commission
Office of the Chief Administrative Law
Judge
1331 Pennsylvania Ave., N.W., Suite 520N
Washington, D.C. 20004-1710
myoung@fmshrc.gov
cjannace@fmshrc.gov

Alberta Mills

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

Mary B. Murphy

Director, Div. of Enforcement & Litigation U.S. Consumer Product Safety Comm'n 4330 East West Highway Bethesda, MD 20814 mmurphy@cpsc.gov

Robert Kaye

Assistant Executive Director Office of Compliance and Field Operations U.S. Consumer Product Safety Comm'n 4330 East West Highway Bethesda, MD 20814 rkaye@cpsc.gov

Leah Ippolito, Supervisory Attorney Brett Ruff, Trial Attorney Rosalee Thomas, Trial Attorney Caitlin O'Donnell, Trial Attorney Michael Rogal, Trial Attorney Frederick C. Millett Gregory M. Reyes Complaint Counsel Office of Compliance and Field Operations U.S. Consumer Product Safety Comm'n Bethesda, MD 20814 lippolito@cpsc.gov bruff@cpsc.gov rbthomas@cpsc.gov codonnell@cpsc.gov mrogal@cpsc.gov fmillett@cpsc.gov greyes@cpsc.gov

Oliver J. Dunford

Counsel for Respondent Leachco, Inc.