

UNITED STATES OF AMERICA  
CONSUMER PRODUCT SAFETY COMMISSION

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In the Matter of )  
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LEACHCO, INC. ) CPSC Docket No: 22-1  
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)  
Respondent. )  
)  

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**ORDER DENYING LEACHCO, INC.’S UNOPPOSED MOTION TO CONFIRM  
RESPONDENT’S REPLY DEADLINE BUT GRANTING RESPONDENT UNTIL  
NOVEMBER 21, 2024 TO FILE A REPLY**

Respondent Leachco, Inc. (Leachco) filed an Unopposed Motion to Confirm Respondent’s Reply Deadline dated September 9, 2024 (CPSC Docket 22-1, Dkt. No. 157). The motion seeks an order confirming that it could file a “Reply in Support of Cross-Appeal to the Presiding Officer’s July 3, 2024 Initial Decision.”

The Commission’s Rules of Practice for Adjudicative Proceedings dictate the briefing schedule for an appeal from an initial decision. *See* 16 C.F.R. § 1025.53. These rules provide for the filing of an appeal brief; an answering brief; a cross appeal, which shall be included in the answering brief; and a reply brief limited to rebuttal of matters included in the answering brief and the cross-appeal. The Commission’s Rules do not prescribe the type of reply brief requested by Leachco.

Upon consideration of Respondent Leachco’s motion, it is hereby ORDERED that the Unopposed Motion to Confirm is DENIED.

Nevertheless, 16 C.F.R. § 1025.13 allows for appropriate supplemental pleadings that do not unduly broaden the issues in the proceeding or cause undue delay. Accordingly, the Commission, in its discretion, GRANTS Respondent the opportunity to file a reply to Complaint Counsel’s response to Leachco’s cross appeal no later than **November 21, 2024**. The Commission further ORDERS that Respondent’s reply brief be limited to rebuttal of matters presented in Complaint Counsel’s response to cross appeal, not address any new matters or issues not raised in its cross appeal, and not exceed 15 pages or 6,500 words.

SO ISSUED this 2 of October 2024.

FOR THE COMMISSION,

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Alberta E. Mills  
Secretary  
Consumer Product Safety Commission