

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of)	
)	
BABY MATTERS LLC,)	
)	CPSC DOCKET No. 13-1
)	
Respondent.)	
)	
)	

**BABY MATTERS' FIRST REQUESTS FOR ADMISSIONS TO THE
CONSUMER PRODUCT SAFETY COMMISSION**

Pursuant to 16 C.F.R. 1025.34, Baby Matters, LLC (“Respondent,” or “Baby Matters”) hereby propounds the following First Requests for Admissions on the Consumer Product Safety Commission (the “Commission”). These Requests for Admissions are to be answered separately and fully in writing under oath, within thirty (30) days.

INSTRUCTIONS AND DEFINITIONS

1. The term “you” or the possessive “your” shall refer to the United States of America Consumer Product Safety Commission and its Commissioners, employees, officers, directors and other agents.
2. The term “Baby Matters” shall refer to Respondent Baby Matters LLC.
3. The term “Commission” shall have the same meaning as used in 16 C.F.R. Part 1025.3(b).
4. The term “Gen1” shall refer to the first generation model of the Nap Nanny® infant recliner manufactured and sold by Baby Matters from approximately January 2009 through August 2009.

5. The term “Gen2” shall refer to the second generation model of the Nap Nanny® infant recliner manufactured and sold by Baby Matters from approximately August 2009 through December 2010.

6. The term “Chill” shall refer to the model of the Nap Nanny® infant recliner manufactured and sold by Baby Matters from approximately January 2011 to present.

7. The term “Subject Products” shall refer to the Gen1, Gen2 and Chill products.

REQUESTS FOR ADMISSION

Request for Admission No. 1. Admit that the Gen1, Gen2 and the Chill each are separate products, as defined by the Consumer Product Safety Act.

RESPONSE:

Request for Admission No. 2. Admit that Baby Matters no longer sells the Gen1 and Gen2 models.

RESPONSE:

Request for Admission No. 3. Admit that the Commission is aware of only one incident involving injury or death involving the Chill.

RESPONSE:

Request for Admission No. 4. Admit that the only incidents of injury or death known by the Commission involving the Chill also involve failure by the parent or caregiver to follow or observe one or more of the warnings or instructions contained on the Chill.

RESPONSE:

Request for Admission No. 5. Admit that, beginning in July 2010, the Commission authorized the continued sale of a substantially hazardous product – the Gen2 – to consumers.

RESPONSE:

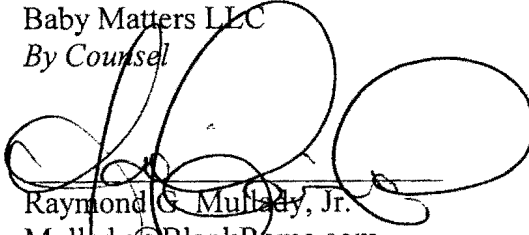
Request for Admission No. 6. Admit that, beginning in July 2010, the Commission authorized the continued sale of a defective product – the Gen2 – to consumers.

RESPONSE:

February 19, 2013

Respectfully submitted,

Baby Matters LLC
By Counsel



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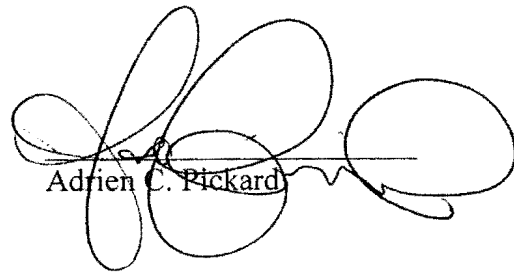
CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Baby Matters' First Requests for Admission to the Consumer Product Safety Commission upon the following parties in these proceedings by mailing, postage prepaid, and by emailing a copy to each on this 19th day of February, 2013.

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