

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

_____)	
In the Matter of)	
)	
ZEN MAGNETS, LLC,)	CPSC DOCKET NO. 12-2
)	
RESPONDENT)	Hon. Dean C. Metry
)	Administrative Law Judge
_____)	

**RESPONDENT’S UNOPPOSED MOTION TO EXTEND THE TIME IN WHICH
TO FILE RESPONSES TO COMPLAINT COUNSEL’S MOTION TO EXCLUDE
SURVEYS AND TO STRIKE EXPERT WITNESSES**

The Respondent, Zen Magnets, LLC, through counsel and pursuant to 16 C.F.R. §1025.15(c), and without objection from Complaint Counsel, requests this Honorable Court for an Order extending the time in which Respondent has to respond to Complaint Counsel’s Motions to exclude evidence of surveys and to strike expert witnesses filed on October 20, 2014, to and including October 31, 2014, and as grounds therefor states:

1. Respondent’s counsel has consulted with Complaint Counsel and represents to the Court that Complaint Counsel has no objection to this motion for extension.
2. On October 20, 2014 Complaint Counsel filed a Motion in Limine to exclude two surveys wanting to be offered by Respondent and a Motion to Strike Respondent’s Experts.
3. Those motions were sent via email and responses are due today, October 30, 2014.

4. Respondent and counsel together with a paralegal, have been working on the responses, but because Respondent's counsel is in a jury trial today, October 30, 2014, he has not been able to finish working on the responses.

5. Counsel has been diligent in preparing responses and originally thought he could file the response by October 30, 2014. However, given this prior commitment, he has not been able to finish the responses, as stated.

6. The jury trial is in the Aurora Municipal Court and will be completed today.

7. Respondent's counsel believes this request is reasonable and necessary to properly brief the matters for the Court and to adequately represent Zen Magnets, LLC before this tribunal.

WHEREFORE, believing good cause having been shown, Respondent seeks an Order granting it to and including Friday, October 27, 2014 to file responses to Complaint Counsel's Motions in Limine and Motion to Strike.

DATED THIS 30th day of October, 2014

Respectfully submitted,



THE LAW OFFICES OF DAVID C. JAPHA, P.C.
DAVID C. JAPHA, Colorado Bar #14434
Attorney for Respondent Zen Magnets

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of October, 2014, I served copies of **THE RESPONDENT'S UNOPPOSED MOTION TO EXTEND THE TIME IN WHICH TO FILE RESPONSES TO COMPLAINT COUNSEL'S MOTION IN LIMINE AND MOTION TO STRIKE** by the service method indicated:

Original and three copies by U.S. mail, and one copy by electronic mail, to the Secretary of the U.S. Consumer Product Safety Commission:

Todd A. Stevenson, Secretary
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814
tstevenson@cpsc.gov

One copy by U.S. mail and one copy by electronic mail to the Presiding Officer for *In the Matter of Maxfield and Oberton Holdings, LLC*, CPSC Docket No. 12-1; *In the Matter of Zen Magnets, LLC*, CPSC Docket No. 12-2, and *In the Matter Of Star Networks UA, LLC*, CPSC Docket No. 13-2:

The Honorable Dean C. Metry
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U.S. Courthouse
601 25th Street, Suite 508A
Galveston, TX 77550
Tommy.B.Cantrell@uscg.mil
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One copy by electronic mail (by agreement) to Complaint Counsel:
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