

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

2013 DEC -9 P 5:46

In the Matter of)	CPSC Docket No. 12-1
)	CPSC Docket No. 12-2
)	CPSC Docket No. 13-2
MAXFIELD AND OBERTON)	
HOLDINGS, LLC)	Hon. Dean C. Metry
and)	
CRAIG ZUCKER, individually and as)	
officer of MAXFIELD AND OBERTON)	
HOLDINGS, LLC)	
and)	
ZEN MAGNETS, LLC)	
STAR NETWORKS USA, LLC)	
)	
Respondents.)	

**COMPLAINT COUNSEL'S RESPONSE TO NOVEMBER 26, 2013,
SHOW CAUSE ORDER**

On November 26, 2013, this Court asked Complaint Counsel to show cause why Complaint Counsel's November 15, 2013, Joint Motion to Extend the Time for Exchanging List of Expected Expert Witnesses filed in Docket 12-1, and unopposed Motion to Extend the Time for Exchanging List of Expected Expert Witnesses filed in Dockets 12-2 and 13-2, were filed *in camera* and why they should not be made part of the public record.

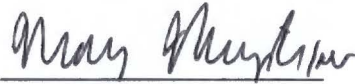
Complaint Counsel had initially filed these motions *in camera* because Complaint Counsel and one of the Respondents were discussing the possibility of a settlement. The Rules provide that offers of settlement shall be filed *in camera*, 16 C.F.R. § 1025.26(b), and in turn limit "[r]eference to *in camera* materials" by requiring that "all parties shall refrain from disclosing specific details of *in camera* materials." 16 C.F.R. § 1025.45(f). To limit references to a possible offer of settlement, including the identity of any

Respondent that could be a party to such an offer of settlement, the motions were filed *in camera*.

Because settlement negotiations have terminated, Complaint Counsel now agrees that such motions need not be filed *in camera* and that the motions should be made part of the public record. Complaint Counsel has conferred with counsel for Respondents Craig Zucker, Zen Magnets, LLC, and Star Networks USA, LLC, and advised the parties that Complaint Counsel agrees that the motions need not be filed *in camera*. Counsel for these Respondents do not oppose our filing.

Moreover, Complaint Counsel no longer believes that any additional time is needed before providing its expert witness list and is providing its List of Experts to Counsel for the Respondents today.

Respectfully submitted,



Mary B. Murphy
Assistant General Counsel
Division of Compliance
Office of the General Counsel
U.S. Consumer Product Safety Commission
Bethesda, MD 20814
(301) 504-7809

Jennifer Argabright, Trial Attorney
Mary Clare Claud, Trial Attorney
Daniel Vice, Trial Attorney

Complaint Counsel
Division of Compliance

Dated: December 9, 2013

CERTIFICATE OF SERVICE

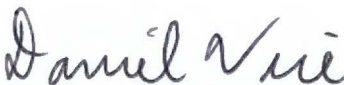
I hereby certify that I have served Complaint Counsel's Response to the November 26, 2013, Show Cause Order, upon all parties of record in these proceedings, by e-mailing a copy to each on December 9, 2013.

Erika Z. Jones
Mayer Brown LLP
1999 K Street, N.W.
Washington, DC 20006
ejones@mayerbrown.com

John R. Fleder
Hyman, Phelps & McNamara, P.C.
700 Thirteenth Street, N.W.
Suite 1200
Washington, DC 20005
jfleder@hpm.com

Timothy L. Mullin, Jr.
Miles & Stockbridge P.C.
100 Light Street
Baltimore, MD 21202
410-385-3641 (direct dial)
410-385-3700 (fax)
tmullin@MilesStockbridge.com

David C. Japha
The Law Offices of David C. Japha, P.C.
950 S. Cherry Street, Suite 912
Denver, CO 80246
davidjapha@japhalaw.com



Daniel R. Vice, Trial Attorney
Complaint Counsel

**UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION**

In the Matter of)	CPSC Docket No. 12-1
)	CPSC Docket No. 12-2
)	CPSC Docket No. 13-2
MAXFIELD AND OBERTON)	
HOLDINGS, LLC)	Hon. Dean C. Metry
and)	
CRAIG ZUCKER, individually and as)	
officer of MAXFIELD AND OBERTON)	
HOLDINGS, LLC)	
and)	
ZEN MAGNETS, LLC)	
STAR NETWORKS USA, LLC)	
Respondents.)	
)	

ORDER

This matter having come before this Court on the Court’s Show Cause Order of November 26, 2013, it is

ORDERED that the November 15, 2013, Joint Motion to Extend the Time for Exchanging List of Expected Expert Witnesses filed in Docket 12-1, and Motion to Extend the Time for Exchanging List of Expected Expert Witnesses filed in Dockets 12-2 and 13-2, shall not be filed *in camera* and shall be made part of the public record.

The Honorable Dean C. Metry
Presiding Officer