

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

<hr/>)	CPSC Docket No: 12-1
In the Matter of)	CPSC Docket No: 12-2
)	CPSC Docket No: 13-2
MAXFIELD AND OBERTON)	
HOLDINGS, LLC)	
AND)	
CRAIG ZUCKER, individually and as)	
an officer of)	
MAXFIELD AND OBERTON)	
HOLDINGS, LLC)	
AND)	HON. DEAN C. METRY
ZEN MAGNETS, LLC)	
AND)	
STAR NETWORKS USA, LLC)	
)	
)	
Respondents.)	
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ORDER DENYING CPSC’S MOTION TO COMPEL DISCOVERY

Background

On March 31, 2014, the Consumer Product Safety Commission (CPSC) filed a Motion to Compel Discovery (Motion). In the Motion, CPSC requested the undersigned issue an Order compelling Mr. Zucker to produce documents responsive to Requests 42, 43, 46 (g)-(j), 49, 50, and 51.¹

On April 18, 2014, Mr. Zucker filed a response to the Motion, explaining Complaint Counsel has already served a subpoena on the Liquidating Trust “seeking precisely the same documents it now seeks...from Mr. Zucker.” Mr. Zucker argues the request places an undue burden on him to produce documentation already obtained from the Liquidating Trust.

¹ The Requests seek information related to the business of Maxfield and Oberton.

Discussion

Upon review of the record, the undersigned notes Complaint Counsel seeks items related to Maxfield and Oberton's business. On January 8, 2014, Complaint Counsel filed an Application for Issuance of Subpoena on the Trustee of the Maxfield and Oberton Liquidating Trust. The subpoena sought the same information Complaint Counsel now seeks to compel. In fact, CPSC's April 7, 2014 Status Report indicates Complaint Counsel received 700,000 pages of documents from the MOH Liquidating Trust.

While both sides have a right to seek discovery, initial discovery requests were served in August 2013. The undersigned has extended the discovery period in light of the complexity of the case, but the matter must proceed and be set for hearing. See 16 C.F.R. § 1025.31(g). CPSC did not allege the MOH Liquidating Trust did not provide the information it now seeks from Mr. Zucker. Accordingly, CPSC's Motion to Compel is

DENIED.

SO ORDERED.

Done and dated this 24th day of April, 2014, at
Galveston, TX



DEAN C. METRY
Administrative Law Judge