

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

_____))
In the Matter of))
ZEN MAGNETS, LLC,)) CPSC DOCKET NO. 12-2
RESPONDENT))
_____))

**RESPONDENT'S NOTICE IN RESPONSE TO COMMISSION'S ORDER REGARDING
THE RECORD AND EXHIBITS**

Respondent, through counsel, hereby responds to the Commission's September 19, 2016 Order Regarding the Record and Exhibits as follows:

1. In regard to the digital exhibits sought by the Commission from Respondent, these are identified here with working links to the exhibits:

R-56 Angle Strain 100 Trials Weak, <https://youtu.be/uGwe4ZPGcKs>

R-57 Angle Strain 100 Trials Zen, <https://youtu.be/o9xlsHquoCE>

R-58 Angle Strain Weak, https://youtu.be/iaigcyLUS_Y

R-59 Angle Strain Zen, <https://youtu.be/dI1IpvTTz90>

R-60 Connections Weak, <https://youtu.be/v4HY3doiFrw>

R-61 Connections Zen, <https://youtu.be/YC7opkx3jb4>

R-62 Icosahedron Zen, <https://youtu.be/D-IORBECANE>

R-63 Lattice Defects Weak, <https://youtu.be/FVPqwStYItk>

R-64 Lattice Defects Zen, <https://youtu.be/oCBZWdjElNs>

R-65 Lattices Weak, https://youtu.be/h7tsx_-sOeE

R-66 Lattices Zen, <https://youtu.be/DFoqpn3vIW8>

R-67 Playing with Plato, <https://youtu.be/o4wa9qypPJA>

R-68 Rhombicosidodecahedron Zen, https://youtu.be/yoTBS6_hJys

R-69 Rhombicosidodecahedron Zometool, <https://youtu.be/PIFirJ7knLU>

R-194 (admitted without video) Enhancing Private YouTube Video

<http://youtu.be/H3o7yqlqv8> (This video has audio, but it should be turned to mute when viewed).

In regard to Exhibit R-1C, Respondent will send photocopies of the mailer, armor and “new warning” under a separate filing. These things are in storage. Respondent should be able to provide Complaint Counsel and the Commission with electronic copies no later than October 4, 2015 with a mailing of them going out on October 5, 2016.

2. The Commission has asked the parties to state whether the record is complete. Without reviewing those things that the Commission has in its possession and comparing them to the list of exhibits identified by the Administrative Law Judge, Respondent cannot state affirmatively one way or the other. But for the Commission’s September 19, 2016 Order, the parties would not have known that the Record was lacking anything. Having said that, based on what appears to have been supplied by Complaint Counsel in its Notice served on September 28, 2016, and what is being supplied herein and via separate mailing, it would appear that the Record is complete.

DATED THIS 30th day of September, 2016

Respectfully submitted,

LEVIN JACOBSON JAPHA P.C.

DAVID C. JAPHA, Colorado Bar #14434
950 SOUTH CHERRY STREET, STE. 912
DENVER, CO 80246
(303) 964-9500
DAVIDJAPHA@JAPHALAW.COM
DAVIDJ@LJLAW.COM

EVAN J. HOUSE, Colorado Bar #48607
8602 SNOWBRUSH LANE
HIGHLANDS RANCH, CO 80126
(303) 888-0079
EJHOUSE.ESQ@GMAIL.COM
Attorneys for Respondent Zen Magnets

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of September, 2016, I served copies of **RESPONDENT'S NOTICE IN RESPONSE TO COMMISSION'S ORDER REGARDING THE RECORD AND EXHIBITS** by the service method indicated:

Original and five 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 electronic mail (by agreement) and one mailed copy to Complaint Counsel: Mary B. Murphy, Complaint Counsel and Assistant General Counsel

mmurphy@cpsc.gov

and

Daniel Vice, Trial Attorney
dvice@cpsc.gov
Division of Compliance
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

David C. Japha