

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of)	
)	
)	
BRITAX CHILD SAFETY, INC.)	CPSC DOCKET NO.: 18-1
)	
)	
Respondent.)	
)	

**JOINT MOTION FOR STAY AND EXTENSION OF
TIME TO FILE MOTIONS REGARDING APPOINTMENT**

Pursuant to 16 C.F.R. §§ 1025.23 and 1025.31(i), Respondent Britax Child Safety, Inc. (“Britax”) and Complaint Counsel (“Complaint Counsel”) (collectively, the “Parties”), hereby jointly request that these proceedings, including all discovery and depositions, be stayed until 30 days after the U.S. Securities and Exchange Commission (“SEC”) lifts the stay issued in its June 21, 2018, Order staying Pending Administrative Proceedings (the “June 21 Stay”).¹ The Parties further request that the Court extend the July 20, 2018, deadline for the Parties to file objections regarding the appointment of the Presiding Officer set forth in the Court’s June 27, 2018, Order Regarding Appointment (“Order Regarding Appointment”) until 14 days after the SEC lifts the June 21 Stay.

Britax challenged the legality of the Presiding Officer’s appointment in this matter in its Answer to the Complaint, *see* Dkt. 2 at 9, and is considering filing a response to the Order Regarding Appointment. Although the SEC’s proposed resolution of the issues raised by *Lucia v. SEC*, No. 17-130, 585 U.S. ____ (2018), will not be dispositive or binding on the parties here, the results of the SEC’s examination may be helpful in the Parties’, the Presiding Officer’s, and

¹ *See In re: Pending Administrative Proceedings*, Order, various SEC Release Nos. (June 21, 2018).

the Commission's consideration of any potential issues concerning the Presiding Officer's appointment. Permitting the Parties to have additional time to assess the SEC's proposed resolution of the issues presented by *Lucia* prior to responding to the Order Regarding Appointment will avoid potentially unnecessary motions practice by the Parties. Staying discovery during this time will also avoid the need for the Parties to seek Court intervention regarding potential discovery disputes until such time that objections to the Presiding Officer's appointment, if any, are resolved.

The Parties therefore respectfully request that the Court enter a stay of these proceedings, including all depositions and discovery, until 30 days after the SEC lifts the June 21 Stay. The Parties also request that the Court extend the July 20, 2018, deadline for the Parties to file objections regarding the appointment of the Presiding Officer set forth in the Order Regarding Appointment until 14 days after the SEC lifts the June 21 Stay.

Respectfully Submitted,

Dated: July 10, 2018



Mary B. Murphy, Assistant General Counsel
Philip Z. Brown, Trial Attorney
Gregory M. Reyes, Trial Attorney
Daniel R. Vice, Trial Attorney
Division of Compliance
Office of the General Counsel
U.S. Consumer Product Safety Commission
Bethesda, MD 20814
Tel: (301) 504-7809

Complaint Counsel
U.S. Consumer Product Safety Commission
Bethesda, MD 20814

Timothy L. Mullin, Jr.
410-385-3641 (direct dial)
tmullin@MilesStockbridge.com
Dwight W. Stone II
410-385-3649 (direct dial)
dstone@MilesStockbridge.com
Susan DuMont
410-385-3768 (direct dial)
sdumont@MilesStockbridge.com
MILES & STOCKBRIDGE P.C.
100 Light Street
Baltimore, MD 21202
410-385-3700 (fax)

Erika Z. Jones
202-263-3232 (direct dial)

ejones@mayerbrown.com
Adam C. Sloane
202-263-3269 (direct dial)
asloane@mayerbrown.com
MAYER BROWN LLP
1999 K Street, N.W.
Washington, DC 20006-1101
(202)263-5232 (fax)

Attorneys for Respondent,
Britax Child Safety, Inc.

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of)	
)	
)	
BRITAX CHILD SAFETY, INC.)	CPSC DOCKET NO.: 18-1
)	
)	
)	
Respondent.)	

**ORDER ON JOINT MOTION FOR STAY AND
EXTENSION OF TIME TO FILE MOTIONS REGARDING APPOINTMENT**

On July 10, 2018, the Parties jointly moved for a stay of these proceedings, including discovery and depositions, until 30 days after the SEC lifts the June 21 Stay. The Parties also requested that the Court extend the deadline for objections regarding the appointment of the Presiding Officer set forth in this Court’s Order Regarding Appointment until 14 days after the SEC lifts the June 21 Stay. The Court finds good cause to issue the stay requested by the Parties and the motion is GRANTED. *See* 16 C.F.R. § 1025.31(i). These proceedings, including discovery and depositions, are stayed until 30 days after the SEC lifts the June 21 Stay. Objections regarding the appointment of the Presiding Officer, if necessary, shall be due 14 days after the SEC lifts the June 21 Stay.

Cameron Elliot
Administrative Law Judge