

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

IN THE MATTER OF

LEACHCO, INC.,

Respondent.

CPSC DOCKET NO. 22-1

LEACHCO, INC.'S MOTION TO COMPEL DISCOVERY

Pursuant to 16 C.F.R. §§ 1025.23, 1025.31(c), (i), and 1025.36, Respondent Leachco, Inc. (“Leachco”) respectfully submits this Motion to Compel Discovery. Leachco has requested and is entitled to obtain proper discovery materials that it has been denied. Specifically, Leachco moves to compel on the following topics and issues of information and documents:

1. Information regarding the Commission’s testing and data, and assessment of related consumer and infant products (RFPs 83–88; Interrogatories 46–48, 50–59.)
2. Documents concerning communications between Complaint Counsel and other individuals at the Commission about this proceeding, Complaint, the Podster, or Leachco. (RFPs 64, 66, 68, 70, 72, 74, 76, 78.)

DATED: March 16, 2023.

Respectfully submitted,

FRANK D. GARRISON
Indiana Bar No. 34024-49
JESSICA THOMPSON
North Carolina Bar No. 48112
Pacific Legal Foundation
3100 Clarendon Boulevard, Suite 1000
Arlington, VA 22201
Telephone: 202.888.6881
Fax: 916.419.7747
FGarrison@pacificlegal.org
JLThompson@pacificlegal.org

s/John F. Kerkhoff
JOHN F. KERKHOFF
Ohio Bar No. 0097134
Pacific Legal Foundation
3100 Clarendon Boulevard, Suite 1000
Arlington, VA 22201
Telephone: 202.888.6881
Fax: 916.419.7747
JKerkhoff@pacificlegal.org

OLIVER J. DUNFORD
Florida Bar No. 1017791
Pacific Legal Foundation
4440 PGA Blvd., Suite 307
Palm Beach Gardens, FL 33410
Telephone: 916.503.9060
Fax: 916.419.7747
ODunford@pacificlegal.org

Counsel for Respondent Leachco, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2023, the foregoing was served upon all parties and participants of record as follows:

<p>Honorable Michael G. Young Federal Mine Safety and Health Review Commission Office of the Chief Administrative Law Judge 1331 Pennsylvania Ave., N.W., Suite 520N Washington, D.C. 20004-1710 myoung@fmshrc.gov cjannace@fmshrc.gov</p>	<p>Mary B. Murphy Director, Div. of Enforcement & Litigation U.S. Consumer Product Safety Comm'n 4330 East West Highway Bethesda, MD 20814 mmurphy@cpsc.gov</p> <p>Robert Kaye Assistant Executive Director Office of Compliance and Field Operations U.S. Consumer Product Safety Comm'n 4330 East West Highway Bethesda, MD 20814 rkaye@cpsc.gov</p>
<p>Alberta Mills Secretary of the U.S. Consumer Product Safety Commission U.S. Consumer Product Safety Commission 4330 East West Highway Bethesda, MD 20814 amills@cpsc.gov ndipadova@cpsc.gov</p>	<p>Leah Ippolito, Supervisory Attorney Brett Ruff, Trial Attorney Rosalee Thomas, Trial Attorney Caitlin O'Donnell, Trial Attorney Michael Rogal, Trial Attorney Frederick C. Millett Gregory M. Reyes Complaint Counsel Office of Compliance and Field Operations U.S. Consumer Product Safety Comm'n Bethesda, MD 20814 lippolito@cpsc.gov bruff@cpsc.gov rbthomas@cpsc.gov codonnell@cpsc.gov mrogal@cpsc.gov fmillett@cpsc.gov greyes@cpsc.gov</p>

s/John F. Kerkhoff
John F. Kerkhoff
Counsel for Respondent Leachco, Inc.