

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of

THYSSENKRUPP ACCESS CORP.

Respondent.

CPSC DOCKET NO.: 21-1

**NON-PARTY OTIS ELEVATOR COMPANY’S MOTION FOR LEAVE TO FILE A
REPLY BRIEF IN SUPPORT OF ITS MOTION TO QUASH**

On March 30, 2022, non-party Otis Elevator Company (“Otis” or “the Company”) filed a motion to quash a subpoena served on it by respondent TK Access Solutions Corp. (“TK Access”) pursuant to 16 CFR § 1025.38(g). On March 31, 2022, TK Access filed its opposition to the motion (“Opposition”). The Opposition presents material new substance and new arguments not included in its Application (Dkt. No. 85). Otis respectfully requests that it be granted leave to file a short reply brief of no more than five pages to address these points. This Court may permit such a filing. 16 CFR § 1025.23(c).

In the Opposition, TK Access also questions the timeliness of Otis’s initial filing. Opp. at 4-5. Otis respectfully requests that the Court excuse this inadvertent calculation error of one day and deem the motion timely filed. No prejudice would result to either Complaint Counsel or TK Access as the latter has already filed its Opposition and other action has not been yet taken.

CONCLUSION

Respectfully, the Court should grant Otis leave to file a reply brief of no more than five pages and deem Otis’ motion timely filed.

April 1, 2022

Respectfully submitted,

/s/ Matthew Cohen

Scott Winkelman
Matthew Cohen
Crowell & Moring LLP
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004-2595
Telephone: (202) 624-2500
Fax: (202) 628-5116
Email: SWinkelman@crowel.com
Email: Mcohen@crowell.com

Attorneys for Non-Party Otis Elevator Corporation

CERTIFICATE OF SERVICE

I, Matthew Cohen, hereby certify that on April 1, 2022, a copy of the foregoing document was filed with the Secretary of the U.S. Consumer Product Safety Commission pursuant to 16 CFR 1025.16 and served on all parties in this proceeding as follows:

By electronic mail to the Secretary of the U.S. Consumer Product Safety Commission:

Ms. Alberta Mills
Secretary
United States Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814
Email: amills@cpsc.gov

By electronic mail to the Presiding Officer:

The Honorable Mary Withum
Administrative Law Judge
c/o Ms. Alberta Mills
Secretary
United States Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814
Email: amills@cpsc.gov

By electronic mail to Complaint Counsel:

Ms. Mary B. Murphy
Director
Division of Enforcement and Litigation
Office of Compliance and Field Operations
4330 East West Highway
Bethesda, MD 20814
Email: mmurphy@cpsc.gov

Gregory M. Reyes, Supervisory Attorney
Michael J. Rogal, Trial Attorney
Frederick C. Millet, Trial Attorney
Joseph E. Kessler, Trial Attorney
Nicholas J. Linn, Trial Attorney
Division of Enforcement and Litigation
Office of Compliance and Field Operations
4330 East West Highway

Bethesda, MD 20814
Email: greyes@cpsc.gov
Email: mrogal@cpsc.gov
Email: fmillett@cpsc.gov
Email: jkessler@cpsc.gov
Email: nlinn@cpsc.gov

By electronic mail to Respondent:

Sheila A. Millar
Eric P. Gotting
S. Michael Gentine
Taylor D. Johnson
Anushka N. Rahman
Keller and Heckman LLP
1001 G Street, NW
Suite 500 West
Washington, DC 20001
Email: millar@khlaw.com
Email: gotting@khlaw.com
Email: gentine@khlaw.com
Email: johnstont@khlaw.com
Email: rahman@khlaw.com

Michael J. Garnier
Garnier & Garnier, P.C.
2579 John Milton Drive
Suite 200
Herndon, VA 20171
Email: mjgarnier@garnierlaw.com

Meredith M. Causey
Quattlebaum, Grooms & Tull PLLC
111 Center Street
Suite 1900
Little Rock, AR 72201
Email: mcausey@qgtlaw.com

/s/ Matthew Cohen
Matthew Cohen