



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

Record of Commission Action Commissioners Voting by Ballot*

Commissioners Voting: Chairman Elliot F. Kaye
Commissioner Robert S. Adler
Commissioner Marietta S. Robinson
Commissioner Ann Marie Buerkle
Commissioner Joseph P. Mohorovic

ITEM:

Vote to Issue Order Regarding Record and Exhibits in *In re Zen Magnets, LLC*; CPSC Docket No. 12-2 (Briefing package dated September 15, 2016)

DECISION:

The Commission voted unanimously (5-0) to issue the Order Regarding Record and Exhibits.

For the Commission:

A handwritten signature in black ink, appearing to read "Todd A. Stevenson".

Todd A. Stevenson
Secretary

* Time Critical Ballot vote due September 19, 2016

Attachment:

- Order Regarding Record and Exhibits

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of	)	
	)	
ZEN MAGNETS, LLC	)	CPSC Docket No: 12-2
	)	
Respondent.	)	

ORDER REGARDING RECORD AND EXHIBITS

On May 4, 2016, Complaint Counsel filed Complaint Counsel's Appeal Brief (the "Appeal") in the above-captioned case. The Commission's regulations at 16 C.F.R. § 1025.55(a) require that the Commission consider the record as a whole or such parts of the record as are cited or as may be necessary to resolve the issues presented.

The record in this matter consists of the following:

- Pleadings filed *In the Matter of Zen Magnets, LLC*, CPSC Docket 12-2;
- Pleadings filed on the following docket during the time the cases were consolidated: *In the Matter of Maxfield and Oberton Holdings, LLC, Zen Magnets, LLC, and Star Networks USA, LLC*, CPSC Docket Nos. 12-1, 12-2, and 13-2 (the "Consolidated Docket");
- Testimony and exhibits as described in Attachments A and B to the Initial Decision and Order (pages 39 – 62); and
- Trial transcripts.

The parties have 15 days from the date of this Order to notify the Commission if the record is incomplete, and explain the basis for that assertion.

Pursuant to 16 C.F.R. § 1025.52(d)(2), after entering the Initial Decision and Order, the Administrative Law Judge the Honorable Dean C. Metry ("ALJ") forwarded to the Commission the physical exhibits admitted into evidence as well as an electronic version of most admitted exhibits. However, the ALJ did not provide the exhibits listed below:

R-IC	Mailing Case, Armor, and the New Warning from the Zen Magnets Mandala Set
R-56	Video -Angle Strain 100 Trials Weak
R-57	Video - Angle Strain 100 Trials Zen
R-58	Video - Angle Strain Weak
R-59	Video - Angle Strain Zen
R-60	Video - Connections Weak
R-61	Video - Connections Zen
R-62	Video - Icosahedron Zen
R-63	Video - Lattice Defects Weak
R-64	Video - Lattice Defects Zen

R-65	Video - Lattices Weak
R-66	Video - Lattices Zen
R-67	Video - Playing with Plato
R-68	Video - Rhombicosidodecahedron Zen.
R-69	Video - Rhombicosidodecahedron Zometool

In addition, the following exhibits link to a URL that is no longer linked to a video:

CC-43	Exploding Top Video url: https://www.youtube.com/watch?v-lxRoPmwlyCy
CC-61	Video of Zen Magnets Contest 14: Sphere Race Entry: Found at https://www.youtube.com/watch?v=lmhZNPplGSc
R-194	Enhancing Private YouTube Video http://youtu.be/H3o7yqleqv8 Admitted Without Audio

Each party shall provide a corrected URL link or a copy of their respective exhibits to the Commission within 15 days of this order, with a copy to opposing counsel.

ORDERED, each party shall resubmit physical or electronic exhibits as identified within 15 days of this order, with a copy to opposing counsel.

ALSO ORDERED, a party shall notify the Commission within 15 days if it believes the record is incomplete and explain the basis for that assertion.

SO ORDERED this 19th day of September, 2016.

BY THE COMMISSION



Todd A. Stevenson
Secretary