

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

IN THE MATTER OF

LEACHCO, INC.,

Respondent.

CPSC DOCKET NO. 22-1

UNOPPOSED MOTION TO CONFIRM RESPONDENT'S REPLY DEADLINE

Pursuant to 16 C.F.R. §§ 1025.15 and 1025.53(f), Respondent Leachco, Inc., respectfully seeks an order to confirm Leachco's deadline to file its Reply in Support of Cross-Appeal to the Presiding Officer's July 3, 2024 Initial Decision. Dkt. No. 148. This proposed order will not affect the dates in the existing schedule and will merely confirm, pursuant to 16 C.F.R. § 1025.53(f), Leachco's deadline to file a reply to Complaint Counsel's Answering Brief. Counsel for Leachco conferred with Complaint Counsel, who do not oppose Leachco's filing a reply pursuant to § 1025.53(f).

On July 16, 2024, the parties filed a Joint Motion to Set a Briefing Schedule, which proposed a modest extension of deadlines that would have otherwise controlled under the Commission's Rules. Dkt. No. 150. Upon that motion, the Commission ordered the following briefing schedule:

1. Complaint Counsel's Appeal Brief is due August 30, 2024. [This brief was timely filed. *See* Dkt. No. 153.]
2. Respondent's Answering Brief (including Cross-Appeal briefing) is due October 17, 2024.
3. Complaint Counsel's Reply Brief (including a response to the Cross-Appeal) is due November 7, 2024.

July 26, 2024 Order (Dkt. No. 152).

Pursuant to the Commission’s Rules, a “reply brief shall be limited to rebuttal of matters presented in answering briefs, including matters raised in cross-appeals. A reply brief shall be filed and served within fourteen (14) days after service of an answering brief, or on the day preceding the oral argument, whichever comes first.” 16 C.F.R. § 1025.53(f). Accordingly, Leachco intends to submit a Reply in Support of its Cross-Appeal within 14 days of Complaint Counsel’s November 7, 2024 Reply/Answering Brief to Cross-Appeal—that is, by November 21, 2024.

Accordingly, in an abundance of caution, Leachco asks the Commission to confirm that Leachco’s Reply in Support of Cross-Appeal is due on or before **November 21, 2024**.

A proposed Order is attached for the Commission’s consideration.

* * *

DATED: September 9, 2024.

Respectfully submitted,

/s/ Oliver J. Dunford

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Counsel for Respondent Leachco, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2024, the foregoing was served via email
as follows:

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CPSC DOCKET No. 22-1

**[PROPOSED] ORDER ON UNOPPOSED MOTION
TO CONFIRM RESPONDENT'S REPLY DEADLINE**

This matter has come before the Commission on the Unopposed Motion to Confirm Respondent's Reply Deadline, dated September 9, 2024. For good cause shown, it is hereby **ORDERED** that the Motion is **GRANTED**. Respondent Leachco, Inc.'s Reply in Support of its Cross-Appeal is due no later than **November 21, 2024**. The existing deadlines in the Commission's July 26, 2024 Order (Dkt. No. 152) remain unchanged.

SO ISSUED this ____ day of September, 2024

FOR THE COMMISSION

Alberta E. Mills
Secretary
Consumer Product Safety Commission