

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

_____)	
In the Matter of)	
BABY MATTERS, LLC)	CPSC DOCKET NO. 13-1
Respondent.)	HON. WALTER J. BRUDZINSKI
_____)	Administrative Law Judge

THIRD JOINT MOTION TO AMEND SCHEDULING ORDER

Complaint Counsel for the U.S. Consumer Product Safety Commission (Complaint Counsel) and Respondent jointly move the Court for an order amending the Final Pre-Hearing Order dated January 31, 2013, as amended (the Scheduling Order), to extend until April 19, 2013, the following deadlines: 1) the disclosure of the names of witnesses and of documents and other physical exhibits intended to be introduced into evidence and 2) the filing of any opposition to notices of deposition.

The Scheduling Order requires the parties to disclose the names of witnesses and of documents and other physical exhibits intended to be introduced into evidence no later than April 12, 2013. Final Pre-Hearing Order at ¶¶ 11 and 13(d), as amended by Order, March 20, 2013. The Scheduling Order also requires the filing of any opposition to notices of deposition by April 12, 2013. *Id.* at ¶ 6, as amended by Order, March 8, 2013. Complaint Counsel and Respondent jointly request this extension to allow sufficient time to fully identify witnesses and documentary evidence and for witness preparation. Neither party would be prejudiced by this schedule, nor would the proposed change affect the commencement of the Hearing on May 20, 2013.

Under the Rules of Practice for Adjudicative Proceedings, “[f]or good cause shown, the Presiding Officer may extend any time limit prescribed or allowed by these rules or by an order

of the Commission or Presiding Officer, except for those sections governing the filing of interlocutory appeals and appeals from Initial Decisions and those sections expressly requiring Commission action.” 16 C.F.R. § 1025.15(c). Pursuant to 16 C.F.R. § 1025.1, “broad discretion has been vested in the Presiding Officer who will hear a matter being adjudicated to allow him/her to alter time limitations and other procedural aspects of a case, as required by the complexity of the particular matter involved.”

For good cause shown, the parties jointly request that the Presiding Officer grant this motion.

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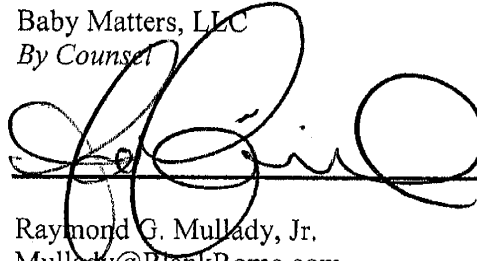
Respectfully submitted,

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April 11, 2013

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Respondent.)	HON. WALTER J. BRUDZINSKI
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ORDER

The matter having come before this Court on the Parties' Third Joint Motion to Amend Scheduling Order, and upon consideration of the Motion, it is by this Court, this ____ day of April ___, 2013,

ORDERED that the Third Joint Motion to Amend Scheduling Order is GRANTED, and it is

FURTHER ORDERED that the Final Pre-Hearing Order dated January 31, 2013, as amended, is further amended to extend to April 19, 2013, the deadline to disclose the names of witnesses and of documents and other physical exhibits intended to be introduced into evidence and the deadline to file any opposition to notices of deposition.

Walter J. Brudzinski
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing on all parties of record in these proceedings by emailing a courtesy copy and by mailing, postage prepaid, a copy to each on April 11, 2013.

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