

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 20-1373

LISA MILICE

v.

CONSUMER PRODUCTS SAFETY COMMISSION

(CPSC -2009-0064)

**ORDER**

At the direction of the Court, this case will be removed from the Court's calendar for October 22, 2020 and rescheduled before another panel.

The parties are directed to submit letter briefs of no more than seven pages addressing whether the rule the petitioner challenges, Revisions to Safety Standards for Infant Bath Seats, 84 Fed. Reg. 49435 (Sept. 20, 2019), was promulgated under 15 U.S.C. § 2056a, and accordingly whether jurisdiction to hear the Petition lies exclusively with the United States Court of Appeals for the District of Columbia Circuit pursuant to 15 U.S.C. § 2060(g), or if instead the rule should be treated as promulgated under 15 U.S.C. § 2058, pursuant to 15 U.S.C. § 2056a(b)(4)(B). The letter briefs shall be submitted within ten (10) days of the date of this order.

For the Court,

s/ Patricia S. Dodszuweit

Clerk

**Dated: 10/02/2020**

**cc:/PM All Counsel of Record**