UNITED STATES DIST SOUTHERN DISTRICT	OF NEW YORK		
NATURAL RESOURCE COUNCIL, INC., and PU	ES DEFENSE	x :	
	D1-:4:CC-	:	NOTICE OF CROSS-MOTION
v. U.S. CONSUMER PRODUCT SA COMMISSION,	Plaintiffs,	:	08 Civ. 10507 (PGG)
	ODUCT SAFETY	:	
	SDOCT SIMETT	:	
	Defendant.	:	
		X	

PLEASE TAKE NOTICE that, upon the pleadings, and the accompanying memorandum of law, defendants will cross-move this Court before the Honorable Paul G. Gardephe, United States District Judge, United States Courthouse, 500 Pearl Street, New York, New York 10007, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting defendant summary judgment dismissing plaintiffs' complaint and such other relief against as is just and proper.

Dated: New York, New York January 9, 2009

> LEV L. DASSIN Acting United States Attorney for the Southern District of New York Attorney for Defendant

By: /s/ BETH E. GOLDMAN (BG-6247) Assistant United States Attorney 86 Chambers Street -- 3rd Floor New York, New York 10007 Tel. No.: (212) 637-2732 beth.goldman@usdoj.gov To: Mitchell S. Bernard, Esq.
Natural Resources Defense Council
40 West 20th Street
New York, New York 10011