



## Consumer Federation of America

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Contact:  
Rachel Weintraub, CFA (202) 387-6121

### **Company Doe Revealed Important Victory for Consumers and Transparency**

WASHINGTON, D.C. – The company in the case Company Doe vs. Tenenbaum, which anonymously sued the U.S. Consumer Product Safety Commission in 2011 to prevent a report naming its product from being included in the saferproducts.gov web site, revealed itself after the Circuit Court of Appeals for the Fourth Circuit found that the case must be unsealed and the company disclosed.

The juvenile product company Ergobaby has revealed that it is "Company Doe."

The lower court had agreed to protect the identity of Company Doe, litigate the case in secret and seal most of the documents relevant to the case. The lower court also agreed with Company Doe and ruled that the report should not be posted on saferproducts.gov.

Consumer Federation of America joined with Public Citizen and Consumers Union, the advocacy arm of Consumer Reports to object to the sealing of the court documents.

The Circuit Court for the Fourth Circuit, in April, found that injury to corporate reputation is not enough to justify sealing court records under the First Amendment and that permitting a company to use a pseudonym to challenge the inclusion of a report in the CPSC database, saferproduct.gov, was an abuse of discretion in light of the public interest of the database.

“This is an important victory for consumers, for transparency, and for the saferproducts.gov database,” stated Rachel Weintraub, Legislative Director and Senior Counsel for Consumer Federation of America. “Saferproducts.gov is a database designed to increase transparency of important product safety information to the public. This case shows that the public interest is served by disclosure, not by secrecy.”

Saferproducts.gov was created by the Consumer Product Safety Improvement Act which passed in 2008. The database went live on March 11, 2011. Saferproduct.gov was created to increase the availability of information to consumers and provides a forum where consumers can report and research safety hazards experienced with a wide variety of consumer products.

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*The Consumer Federation of America is an association of nearly 300 nonprofit consumer organizations that was established in 1968 to advance the consumer interest through research, advocacy, and education.*  
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