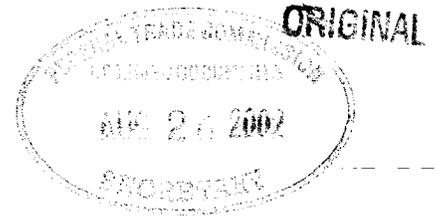


FTC
Office of the Secretary
600 Pennsylvania Avenue, NW
Washington, DC 20580



Re: Proposed consent order – Tim R. Wofford, Okie Corporation, Prime Peripherals, **File No. 012 3191**

Dear Sirs:

I purchased the following items sold by Mr. Wofford's company, Okie Corporation, last year:

Prime Peripherals 100-pack blank recordable CD-R media, purchased on 5/26/2001 at Staples for \$27.94. The box contained a rebate form for \$20.00 which I submitted on June 17, 2001.

Prime Peripherals 10-pack of blank recordable CD-R media, purchased on 9/12/2001 at OfficeMax for \$4.99. I mailed the form for the \$4.99 rebate on 9/14/01

More than eight weeks have passed since I submitted the rebate claims. I have received neither rebate. I have been defrauded out of at least \$25.00 by Mr. Wofford and by the Staples and OfficeMax retail stores. The two rebate offers that I attempted to redeem are different from the offer shown in the exhibit published on the FTC web site, and it is clear that there has been a pattern of such fraudulent conduct by Mr. Wofford beyond even the specific incident(s) that this proposed consent order is attempting to address.

The remedies contained in the proposed consent order directed at Mr. Wofford are woefully inadequate. In fact, the terms of the proposed consent order are so laughably trivial that not only will they not deter Mr. Wofford from committing and unjustly profiting from other such fraudulent acts in the future against tens of thousands of consumers, they will also have the noxious effect of encouraging similar egregious behavior and schemes on the part of other unscrupulous operators in the future, because those others will not be deterred by the FTC's pathetically weak response to Mr. Wofford's deliberate actions and deceptions.

It's not clear that Mr. Wofford will have sustained any downside whatsoever to his actions, other than the minor annoyance of dealing with some government paperwork and reporting requirements. There is certainly no prospect of deterrence of future acts – Mr. Wofford has plenty of options that will allow him to continue to defraud the public while dodging any future sanctions by the Commission, merely by doing things at arm's length. In fact, he has created a pattern or prototype that will instruct others who will want to follow in his footsteps. Moreover, the rights of the consumers who were defrauded by Mr. Wofford are not being protected by this proposed order. Therefore, it leads me to question why the FTC is even pretending to go through the motions of preparing a consent order in this case.

More specifically, the proposed consent order is totally unsatisfactory and deficient because the sanctions that it prescribes are so mild as to be virtually nonexistent, to wit:

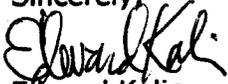
- no compensatory and/or punitive fines have been assessed
- no requirement for restitution to persons who have been defrauded
- no requirement that Mr. Wofford give notice of this proposed consent order directly to all consumers who were defrauded and harmed by his actions
- no future notice of this action by the FTC is required to be given to consumers who may purchase any products (with or without rebate promotions) from any company in which Mr. Wofford is or may be associated with in the future
- no requirement for disclosure to the public of any company or fictitious name under which Mr. Wofford may do business (or may be associated with as an employee, consultant, or in any other capacity or relationship) in the future, nor disclosure to the public of the names of any product or service which Mr. Wofford or any business with which he may be associated is or will in the future be offering for sale to the public [note: disclosure to the FTC is not equivalent to "disclosure to the public", and is insufficient to protect the interests of the public – it does not, by itself, serve the purpose of warning the public to be wary of such products and/or services and/or claims and/or rebates that Mr. Wofford or his associates may offer for sale in the future]

- no requirement that Mr. Wofford disclose the consent order to any reseller (such as OfficeMax or Staples) or potential employer through which he may do business in the future, through which he has sold products in the past, or through which any company with which Mr. Wofford may be associated in the future may do business
- no requirement that any reseller that may do business with Mr. Wofford or with any company with which he may be associated in the future warn consumers about this consent order via conspicuous signs and advertising whenever they may sell such future products
- no requirement that the resellers that sold Mr. Wofford's products to the public in the past (offering rebates which he subsequently failed to honor) display details of the consent order in prominent locations in their stores, in their advertising and promotional literature which was previously used to advertise those products, and on their web sites
- no requirement that those resellers who sold Mr. Wofford's products make good on the unfulfilled rebate amounts
- no requirement for establishing and enforcing a reliable tracking means to ensure that rebate submissions received by Mr. Wofford or associates in the future are not discarded, destroyed, or otherwise "lost" in an attempt to make it appear that they were never received in the mail

Since it evidently does not prescribe any or all of the sanctions that I have listed above, which would be necessary to truly deter the fraudulent behavior that Mr. Wofford has previously engaged in, and to make whole the consumers who were defrauded, the FTC's proposed consent order is exposed as toothless and impotent, it does not deter future bad conduct by Mr. Wofford or by others, it does not offer any remedy to the consumers who were harmed by Mr. Wofford's actions, and permits the resellers who acted in concert with Mr. Wofford to defraud the consumers to continue to profit from his fraudulent acts. In fact, the weak response by the FTC to Mr. Wofford's fraudulent activity serves to undermine confidence in the abilities of and competence of the Commission, and calls into question whether the Commission is acting in the best interests of the public and under the requirements of the law in this matter.

Therefore, I strongly suggest that you take your watchdog and enforcement powers and responsibilities seriously and issue appropriate sanctions, or else admit that the FTC has no enforcement power whatsoever in this matter other than cosmetic appearances, drop all pretense that the proposed consent order is valid, and in fact drop the consent order entirely. Furthermore, if the Commission is unable to craft and enforce adequate remedies in this case, I see no compelling reason for the FTC to receive a budget and personnel for this purpose, and will therefore seek to have the laws amended to remove such responsibilities and budget from the agency, because it will have shown that it is incompetent to administer the required oversight with which it has been tasked.

Sincerely,


Edward Kalin

255 Banks Road
Easton, CT 06612