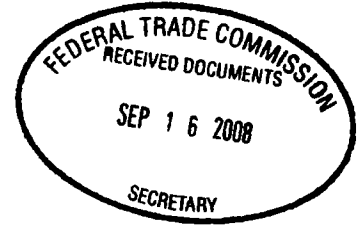


UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



In Re

CIVIL INVESTIGATIVE DEMAND
DATED AUG 22, 2008

PETITION TO QUASH OR LIMIT
CIVIL INVESTIGATIVE DEMAND DATED AUG 22 2008
FILE NO. 0823224

Background

Makri Inc. is engaged by timeshare resorts in the United States to bring visitors to their timeshare locations on vacation. The intent is so that the visitors might purchase timeshares during their visit if they do like the product.

To this effect, Makri Inc. is given accommodations by the resorts at a discounted rate. The locations are packaged together into a sample "5/4 Orlando, 3/2 Daytona, 4/3 Bahamas cruise" vacation that is sold to a customer for an approximate price of \$400. The product is indeed a great value to the customer.

We contracted with a third party call center to market the product. We do not do any marketing to Australia ourselves. The only phone calls we have made to Australia are to return calls to customers who have purchased travel packages for reservations and to confirm travel. In short, **we do not make any sales calls to Australia.**

A few months after we contracted with the call center we received a letter from the ACMA (Australian Communications and Media Authority) dated October 12, 2007 saying in their words the "compliance with the new Do Not Call regime is inadequate".

Per our contract with the third party seller, (3b & 3c of contract) they have to confirm to the laws in the jurisdiction of sale, therefore we insisted they do the same. Global Communication Solutions (the third party seller) informed us that the cost of complying with the law is cost prohibitive and were unwilling to do the same. Therefore, we stopped doing business with them shortly after.

We enforce the contract strictly with the entities we do business with. There have been no new sales to Australia of travel packages through telemarketing for many months because of the compliance issue.

Conclusion

We received the *Civil Investigative Demand and Request for Documentary Material* on August 26, 2008.

Per the *Civil Investigative Demand Schedule for production of documentary materials*, we were to call the FTC for any clarification. Mr. John DeMarco from my office made calls to the FTC offices as indicated in the schedule for production for documentary materials but has not received any clarification from the FTC offices so far.

After receiving your request, I have contacted the third party call center to receive items requested in the list. I have not received any information from them so far. My communication to them is being ignored because we are no longer doing business with them.

In the *Civil Investigative Demand Schedule for production of documentary materials* we are to produce a list of items 1 through 10. All these items relate directly to the telemarketing activity that we were not engaging in.

We have in our possession and can provide:

- 1) Information on the entity that actually made the calls including our signed contract with them.

- 2) Our communications with the ACMA (Australian Communications and Media Authority)
- 3) Any other information within our possession.

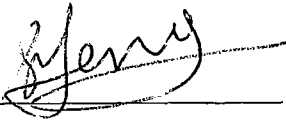
However we are not in possession of any details on the calls themselves.

For the foregoing reasons, the *Civil Investigative Demand Dated Aug 22 2008 File No. 0823224* **should be squashed or limited to the extent that they can be fulfilled by this entity.**

Also we respectfully request that since we could not get timely clarifications from the FTC delaying our response (i.e. whether to submit information that we have OR request an extension), that this request be considered timely since it will be received on the 20th day of service (Sep. 15, 2008) and not be subject to a strict interpretation of the Rules of practice.

Dated: September 12, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sathish Menon', is written over a horizontal line.

Sathish Menon
President, Makri Inc.

cc: Arturo DeCastro, Federal Trade Commission
Andrew Cove anc@covelaw.com