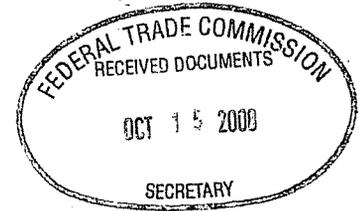


ORIGINAL



**From:** Ted Swift [tnswift@comcast.net]  
**Sent:** Monday, October 13, 2008 10:48 PM  
**To:** franciek@pacbell.net  
**Subject:** Reed Elsevier Acquisition of Choicepoint

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October 14, 2008

Donald S. Clark  
Office of the Secretary  
Federal Trade Commission  
Room H-135  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

Re: Proposed Consent Order  
In the Matter of Reed Elsevier and ChoicePoint, FTC File No. 081-0133

Dear Mr. Clark:

I'm writing on behalf of my company, a small business, regarding the proposed consent order and acquisition of ChoicePoint by Reed Elsevier. My company provides critical investigative services to attorneys, corporations and individuals and relies extensively on exactly the kind of services provided by both Reed Elsevier and ChoicePoint and their subsidiaries – services without which we could not effectively service those clients.

Over the past several years there has been tremendous consolidation among providers of public records services. This proposed acquisition will further reduce competition in the industry. Although there are several providers of data services in the marketplace, they are, for the most part, resellers of data provided by the respondents. Approval of the acquisition would serve simply to place monopolistic power in the respondents' hands.

The Commission's complaint found that this acquisition would be anticompetitive and a violation of antitrust law in the market for the sale

of public records information to law enforcement agencies. The same effects would be felt in the market for sale of public records to the private sector.

It is important to have access to data from several suppliers during the conduct of an investigation. Limited resources reduce both the quality and quantity of information available. Small businesses such as mine, do not have the financial weight to bargain effectively with such huge companies in a non-competitive environment. We might as well be trying to negotiate with the proverbial 800-pound gorilla.

I urge that the Commission not approve the acquisition until respondents divest themselves of public records services provided to private industry as well as to law enforcement.

Unless an appropriate remedy is offered, my company and clients will suffer irreparable harm. When competition is reduced, incentives for innovation are reduced, prices rise and service suffers.

Thank you for your consideration.

/Signed/

Theodore N. Swift  
Owner