

ORIGINAL

BACKTRACK

UNLIMITED

PRIVATE INVESTIGATION
LIC. PI 10259

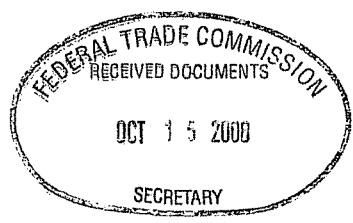
(760) 945-7800



ACCIDENT RECONSTRUCTION

E-MAIL
pibuc1@aol.com

FRANCIS D. "FRANK" RITTER, CLI
Owner



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 wish to comment on the proposed consent order and acquisition of ChoicePoint by Reed Elsevier. I have been a private investigator since 1975. Private investigators provide critical services to insurance carriers, aiding them in their fight against fraud; to attorneys, aiding them in representing both their civil-suit clients and their criminally accused clients; state and US courts, and others. I rely extensively on services provided by both Reed Elsevier and ChoicePoint, and their subsidiaries to assist in serving these clients.

Over the past several years there has been tremendous consolidation among providers of public records services, drastically reducing practical record availability. This proposed acquisition will further reduce competition in the industry, thereby reducing my access to valuable records. When ChoicePoint took over CDBInfotek a few years ago, a large quantity of the CDB's information was no longer available to investigators. Although there are several providers of data services currently in the marketplace, they are resellers of data provided by the respondents, and they are also prime takeover targets.

The Commission's complaint found that this acquisition would be anticompetitive and a violation of anti-trust 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 extremely important to have access to data from several suppliers while conducting an investigation, since limited investigative resources reduce both the quality and quantity of information available, and boost the cost of that information. If this acquisition is allowed to proceed, the approximately sixty thousand investigators and their clients will suffer irreparable harm. When competition is reduced, incentives for innovation are reduced, the availability of data is reduced, prices rise and service suffers.

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

Thank you for your consideration. 