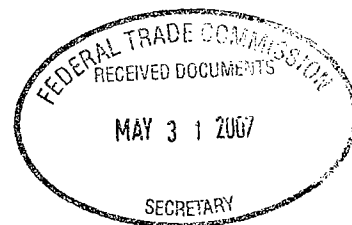


UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



_____)
In the Matter of)
REALCOMP II LTD.,) DOCKET NO: 9320
Respondent.) Chief Administrative Law Judge
Stephen J. McGuire
_____)

[PUBLIC]
MOTION OF THIRD-PARTY SOUTH CENTRAL KANSAS MLS, INC., FOR
IN CAMERA TREATMENT OF CERTAIN RECORDS

Pursuant to 16 C.F.R. § 3.45(b), South Central Kansas, MLS, Inc., (“SCK MLS”) hereby moves for *in camera* treatment of an electronic file produced by SCK MLS in response to a third-party subpoena in this matter.¹ This electronic file contains confidential information, the public dissemination of which could harm the interests of both SCK MLS and the many property sellers that have property listed in the this database. This file was designated confidential when produced. Counsel for the Federal Trade Commission have now notified SCK MLS of their intention to place this file into evidence at the administrative hearing.

I. Description of SCK MLS Confidential Document

SCK MLS seeks *in camera* treatment for the information contained in an electronic file entitled “Export.txt” and produced by SCK MLS to Complaint Counsel on February 13, 2007. That file contains information on all active, pending, and sold residential listings with listing dates between January 1, 2002, and December 31, 2006. Attached as Exhibit “A” is a Residential Data

1

The Scheduling Order established May 25, 2007, as the deadline for seeking *in camera* treatment; on May 24th, SCK MLS filed a motion to extend the deadline, and was granted until June 1, 2007.

Form that shows the information for each listing that is contained in the electronic file. In addition to the data fields shown in the attached form, the database also contains information on the actual sales price of the houses.

II. Legal Standard

This should be accorded *in camera* treatment based on the factors set forth in *Bristol-Myers Co.*, 90 F.T.C. 455, 456 (1977):

- (1) the extent to which the information is known outside of [the] business;
- (2) the extent to which it is known by employees and others involved in [the] business;
- (3) the extent of measures taken by [the business] to guard the secrecy of the information;
- (4) the value of the information to [the business] and [its] competitors;
- (5) the amount of effort or money expended by [the business] in developing the information;
- (6) the ease or difficulty with which the information could be properly acquired or duplicated by others.

By meeting these factors, SCK MLS satisfies the 16 C.F.R. 3.45(b) requirement that motions for *in camera* treatment will be granted when disclosure of the information would “result in a clearly defined , serious injury to the [party] requesting *in camera* treatment.”

Administrative law judges have broad discretion in applying these factors to determine whether information warrants *in camera* treatment. *See, In re General Foods Corp.*, 95 F.T.C. 352 (1980). Moreover, as the Commission has stated, a request for *in camera* treatment by a company such as SCK MLS, which is not a party to the FTC proceeding, should be given “special solicitude.” *In re Crown Cork & Seal Co.*, 71 F.T.C. 1714 (1967); *Kaiser Aluminum & Chemical Corp.*, 103 F.T.C. 500 (1984).

III. The Database Meets the Standard for *In Camera* Treatment.

As discussed below, and in the affidavit of Laura Raudonis, Chief Executive Officer of SCK MLS, attached as Exhibits "B", the electronic file merits receiving *in camera* treatment.

The electronic file constitutes a substantial portion of the database maintained by SCK MLS which is the principle asset of SCK MLS. Access to that database is limited to members and associate members, with access being password protected. Members and associate members who are granted access to the database are granted access for only limited purposes. Maintaining the integrity and security of the database represents the bulk of SCK MLS's budget.

The electronic file contains information the disclosure of which could harm homeowners that have had property listed on the multi-list service. Included within that database is a field called "Private Remarks." In this field there may be contained information that never was intended to be made public, but was necessary to distribute to real estate professionals to make the showing and sale of property possible.

The "Private Remarks" field contains information about who to contact, with telephone contact numbers, of caretakers or others to gain access to show a house. It contains information showing lock box code information that enables Realtors to access the property. It contains information concerning security systems and codes for disarming those systems. The information may also contain statements concerning sellers' motivation. Given that the data shows properties listed through December 31, 2006, the database may contain listings for houses that have not sold and are still active. The information contained in the "Private Remarks" section of the disclosure is deemed so sensitive by SCK MLS that members who are granted access to this field of the database are prevented from printing this portion of the information.

The database maintained by SCK MLS is perhaps the most comprehensive database of real estate information maintained in the area. It has been compiled over the years, and to replicate this database would be prohibitively expensive for any person to do. The information contained in this database gives the real estate professionals access to the best information available about the real estate market in the area served by SCK MLS, and is a strong motivating factor for participation in the SCK MLS. Public disclosure of this information would substantially diminish the value of membership and participation in SCK MLS.

The database contains information as to the actual sales price of homes sold. This information is required to be reported to state taxation officials, but it is expressly not a matter of public record. Kan. Stat. Ann. § 79-1437d. The use and access to that information is restricted by Kansas statute to certain persons concerned with taxation, and to “a person licensed pursuant to the real estate brokers’ and salespersons’ act for purposes of fulfilling their fiduciary duties to clients and providing information on market value of property to clients.” Kan. Stat. Ann. § 79-1437f. Permitting the information on actual sales prices to be made public in this proceeding would serve to defeat the privacy interests that are served by the Kansas statutes.

Kansas statutes intend that actual price information never becomes public. The statute provides that forms containing the sales information be retained by county officials for a period of five years and then destroyed. Kan. Stat. Ann. § 79-1437c. In this manner, Kansas statutes treat this information as permanently confidential and never public.

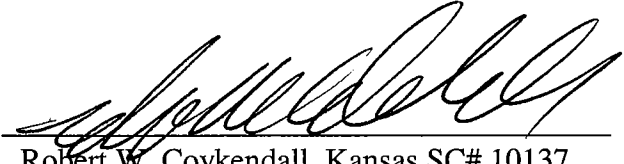
For the foregoing reasons, SCK MLS requests that the electronic file be permanently accorded *in camera* status.

DATED: May 30, 2007

Respectfully submitted,

MORRIS, LAING, EVANS, BROCK
& KENNEDY, Chtd.

By: _____



Robert W. Coykendall, Kansas SC# 10137
300 N. Mead, Suite 200
Wichita, Kansas 67202-2745
Telephone: (316) 262-2671
Facsimile: (316) 262-6226

CERTIFICATE OF SERVICE

I declare as follows:

I certify that on May 30, 2007, I caused an original and two copies of the **Motion of Third-Party South Central Kansas MLS, Inc., for *In Camera* Treatment of Certain Records** to be filed with the Secretary of the Commission by overnight Federal Express.

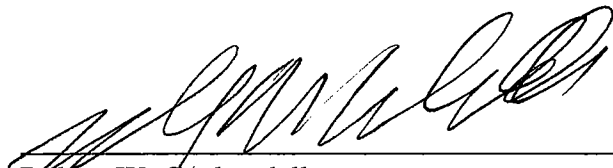
I also certify that on this same date, I caused one copy of the foregoing motion to be served by overnight Federal Express upon:

Sean P. Gates, Esq.
601 New Jersey Ave., N.W.
Rm. NJ-6219
Washington, D.C. 20001

Steven H. Lasher
Scott L. Mandel
Stephen J. Rhodes
313 S. Washington Square
Lansing, MI 48933

I also certify that I caused one copy of the foregoing document to be delivered by overnight Federal Express and via facsimile to:

Honorable Stephen J. McGuire
Chief Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW Drop Code H-106
Washington, D.C. 20580
(202) 326-2427



Robert W. Coykendall

(1) Class
RE



Multiple Listing Service for
South Central Kansas MLS, Inc.
RESIDENTIAL DATA FORM

MLS # _____

All fields marked with an asterisk () and Bold Text are required. (Lookup) fields provide a list from which to select. (Range) fields allow Low-to-High values for searching.

*TYPE <input type="checkbox"/> Single Family OnSite Built <input type="checkbox"/> Patio/Garden Home <input type="checkbox"/> Twin Home or 1/2 Duplex <input type="checkbox"/> Community Housing Condo/Townhouse/ Co-Op <input type="checkbox"/> Single Family OffSite Built	*Area: _____ (Primary Lookup)	*STATUS <input checked="" type="checkbox"/> Active
	*Asking Price \$: _____ (8) (Range Search)	*Address: _____ <small>St. # St. Dir. Street Name</small>
*IDX <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes, but no address	Address2: _____ (25)	*FOR SALE <input checked="" type="checkbox"/> For Sale
*City: _____ (Lookup)		State: _____ (2) *ZIP+4: _____

SELECT ONE NUMBER UNDER EACH OF THE FOLLOWING KEYWORDS OR RANGE FIELDS.

KEYWORDS	*AG BEDROOMS (Range) <input type="checkbox"/> 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> _____	*TOTAL BEDROOMS (Range) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> _____	*AG FULL BATHS (Range) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> _____	*AG HALF BATHS (Range) <input type="checkbox"/> 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> _____	*TOTAL BATHS <input type="checkbox"/> One <input type="checkbox"/> 1 - 1/2 <input type="checkbox"/> Two <input type="checkbox"/> 2 - 1/2 <input type="checkbox"/> Three <input type="checkbox"/> 3 - 1/2 <input type="checkbox"/> Four <input type="checkbox"/> 4 - 1/2 <input type="checkbox"/> Five +
	*GARAGE <input type="checkbox"/> None <input type="checkbox"/> One Car <input type="checkbox"/> Two Car <input type="checkbox"/> Three Car <input type="checkbox"/> Four + Car <input type="checkbox"/> Carport <input type="checkbox"/> Shared	*BASEMENT <input type="checkbox"/> None <input type="checkbox"/> Lower Level <input type="checkbox"/> Yes - Unfinished <input type="checkbox"/> Yes - Finished <input type="checkbox"/> Cellar	*LEVELS <input type="checkbox"/> One Story <input type="checkbox"/> 1 - 1/2 Story <input type="checkbox"/> 2 Story <input type="checkbox"/> Bi-Level <input type="checkbox"/> Tri-Level <input type="checkbox"/> Quad Level <input type="checkbox"/> Other	*APPROXIMATE AGE <input type="checkbox"/> Model - Not for Sale <input type="checkbox"/> Under Construction <input type="checkbox"/> New <input type="checkbox"/> 5 or Less <input type="checkbox"/> 6 - 10 Years <input type="checkbox"/> 11 - 20 Years <input type="checkbox"/> 21 - 35 Years <input type="checkbox"/> 36 - 50 Years <input type="checkbox"/> 51 - 80 Years <input type="checkbox"/> 81 + Years	*ACREAGE <input type="checkbox"/> Not Applicable <input type="checkbox"/> City Lot <input type="checkbox"/> 1/2 to 1 Acre <input type="checkbox"/> 1.01 - 5 Acres <input type="checkbox"/> 5.01 - 10 Acres <input type="checkbox"/> 10 .01or More

***Showing Phone #:** _____ (25)
***List Agent:** _____ Phone: _____
***List Office 1:** _____ Phone: _____
 Pager # _____ (10) Voice Mail Ext: _____ (25) Office Fax: _____ (10) Model Home Ph: _____ (10)

***TFLA:** _____ (#4) (Range) ***AGLA:** _____ (#4) (Range) **BFA:** _____ (#4) (Range)
***SqFt Source:** _____ (Lookup) ***County:** _____ (Lookup)
***Elementary School:** _____ (Lookup) ***Middle School:** _____ (Lookup) ***High School:** _____ (Lookup)

Subdivision: _____ (25)

	Dimensions (25)	Level (Lookup)	Floor (Lookup)
*Master Bedroom			
Bedroom 2			
Bedroom 3			
Bedroom 4			
Bedroom 5			
Bedroom 6			
Bedroom 7			
*Living Room			
*Kitchen			
Dining Room			
Family Room			
Rec Room			

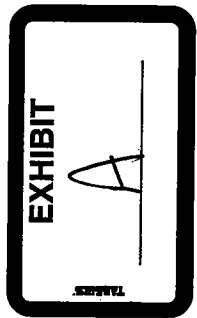
***Year Built:** _____ (#4) (Range) **Builder:** _____ (25)
 Est. Completion Date: ___/___/___
***Lot Size/SQ FT:** _____ (10) **Number of Acres:** _____ (10) (Float Range)
Legal: _____ (100)
***Directions:** _____ (200)

***List Date:** ___/___/___ ***Expire Date:** ___/___/___
***Sub-Agent Commission:** _____ (10) ***Buyer Broker Commission:** _____ (10)
***Transaction Broker Comm:** _____ (10) ***Variable Commission:** _____ (Lookup)

***Assumable:** _____ (1)
***General Taxes:** _____ (15) (Float Range) ***General Tax Year:** _____ (#4) (Range)
***Yearly Specials:** _____ (15) (Float Range) ***Total Specials:** _____ (15) (Float Range)
***Yearly HOA Dues:** _____ (15) (Float Range) ***HOA Initiation Fee:** _____ (10) (Float Range)

HBPP Company: _____ (25)
***Earnest Money:** _____ (25)
***Currently Rented?** _____ (Lookup) ***Rental Amount:** _____ (#4) (Range)

REMARKS
 Public Remarks (4000 Characters Only) _____
 Private Remarks _____



(1) Class
RE

Multiple Listing Service for
South Central Kansas MLS, Inc
RESIDENTIAL DATA FORM

MLS # _____

Features: select all that apply.

A. *ARCHITECTURE (REQUIRED)

- 1 AFRAM A-Frame
- 2 BERM Berm
- 3 BNGWL Bungalow
- 4 CAPCD Cape Cod
- 5 CLNL Colonial
- 6 CONTE Contemporary
- 7 DOME Dome
- 8 LOG Log
- 9 MBL Mobile-No Perm Foundation
- 10 MOBPF Mobile-Perm Foundation
- 11 MODLR Modular-Perm Foundation
- 12 PREFB Prefab-Perm Foundation
- 13 RANCH Ranch
- 14 SWEST Southwestern
- 15 TRAD Traditional
- 16 TUDOR Tudor
- 17 VICTO Victorian
- 18 OTHER Other/See Remarks

B. EXTERIOR CONSTRUCTION (REQUIRED)

- 1 BLOCK Block
- 2 FRAME Frame
- 3 LS50% Frame w/Less than 50% Mas
- 4 MS50/5 Frame w/More than 50% Mas
- 5 LOG Log
- 6 BRICK Masonry-Brick
- 7 STONE Masonry-Stone
- 8 STUCC Stucco
- 9 VIN/M Vinyl/Metal Siding
- 10 OTHER Other/See Remarks

C. ROOF (REQUIRED)

- 1 COMP Composition
- 2 GR/CH Gravel/Chat
- 3 METAL Metal
- 4 SHAKE Shake
- 5 SLATE Slate
- 6 TILE Tile
- 7 WOOD Wood
- 8 OTHER Other/See Remarks

D. LOT DESCRIPTION (REQUIRED)

- 1 CORNR Corner
- 2 C-D-S Cul-de-Sac
- 3 GOLF Golf Course
- 4 IRR Irregular
- 5 P/L Pond/Lake
- 6 RVR/C River/Creek
- 7 STAND Standard
- 8 WRTFR Waterfront
- 9 WOOD Wooded

E. FRONTAGE

- 1 PAVED Paved Frontage
- 2 UNPVD Unpaved Frontage

F. EXTERIOR AMENITIES

- 1 ABGPL Above Ground Pool
- 2 INGPL In Ground Pool
- 3 PL EQ Swimming Pool Equipment
- 4 AGBLD Ag Outbuilding(s)
- 5 AIRST Airstrip
- 6 ANTEN Antenna
- 7 BALCN Balcony
- 8 BATH Bath House
- 9 CORRL Corral
- 10 PATIO Patio
- 11 CVDPF Covered Patio
- 12 CHAIN Fence-Chain
- 13 WOOD Fence-Wood
- 14 WIF Fence-Wrought Iron/Alum
- 15 FOTH Fence-Other/See Remarks
- 16 GASGR Gas Grill
- 17 GUTTR Guttering
- 18 HANDI Handicap Access
- 19 HORSE Horses Allowed
- 20 HOTTB Hot Tub
- 21 IRRPM Irrigation Pump
- 22 IRRWL Irrigation Well
- 23 NOLS Landscaping Not Included
- 24 RVPK RV Parking
- 25 SATEL Satellite Dish
- 26 SCPRC Screened Porch
- 27 SECLT Security Light
- 28 SIDEW Sidewalks
- 29 SPRNK Sprinkler System
- 30 STBLD Storage Building(s)
- 31 STRMD Storm Door(s)
- 32 STRMS Storm Shelter
- 33 STRMW Storm Windows/Ins Glass
- 34 TENNS Tennis/Sports Court(s)
- 35 WDDCK Wood Deck
- 36 OTHER Other/See Remarks

G. GARAGE (REQUIRED)

- 1 NONE None
- 2 ATT Attached
- 3 DET Detached
- 4 CARPT Carport
- 5 CONV Converted
- 6 OPENR Opener
- 7 OVERS Oversized
- 8 SLOAD Side Load

H. FLOOD INSURANCE (REQUIRED)

- 1 REQ Required
- 2 UNK Unknown

I. UTILITIES (REQUIRED)

- 1 SEPTC Septic
- 2 ALTSP Alternative Septic
- 3 SEWER Sewer
- 4 LAGN Lagoon
- 5 NATGA Natural Gas
- 6 PROPG Propane Gas
- 7 PRVWT Private Water
- 8 PUBWT Public Water
- 9 RURAL Rural Water

J. BASEMENT / FOUNDATION (REQUIRED)

- 1 NONE None
- 2 FULL Full
- 3 PART Partial
- 4 WOB Walk Out Basement
- 5 WOML Walk Out Mid-Level
- 6 VIEWO View Out
- 7 DAYLT Day Light
- 8 CELLR Cellar
- 9 CRAWL Crawl Space
- 10 SLAB Slab
- 11 OTHER Other/See Remarks

K. BASEMENT FINISH (REQUIRED)

- 1 NONE None
- 2 1 BED 1 Bedroom
- 3 2 BED 2 Bedroom
- 4 3 BED 3 Bedroom
- 5 R-BA Rough-In Bath
- 6 1/2BA 1/2 Bath
- 7 1 BA 1 Bath
- 8 REC/F Rec/Family Room
- 9 GAME Game Room
- 10 OFFIC Office
- 11 WETBR Wet Bar
- 12 DRVBR Dry Bar
- 13 KITCH Kitchen
- 14 STRG Storage
- 15 1 ADD 1 Add. Finished Room
- 16 2 ADD 2 Add. Finished Rooms
- 17 3 ADD 3 Add. Finished Rooms
- 18 OTHER Other/See Remarks

L. COOLING (REQUIRED)

- 1 NONE None
- 2 ATTIC Attic Fan
- 3 CENTR Central
- 4 WN/WA Window/Wall Unit
- 5 ZONED Zoned
- 6 ELECT Electric
- 7 GAS Gas
- 8 HPUMP Heat Pump
- 9 WTRC Water Cooled

M. HEATING (REQUIRED)

- 1 NONE None
- 2 FLOOR Floor Furnace
- 3 FORCD Forced Air
- 4 GRAV Gravity
- 5 HTMPM Heat Pump
- 6 FP/D Fireplace/Ducted
- 7 SPACE Space Heater
- 8 BASEB Baseboard/Wall
- 9 HOTWT Hot Water/Steam
- 10 ZONE Zoned
- 11 GAS Gas
- 12 ELECT Electric
- 13 PROPO Propane-Owned
- 14 PROPL Propane-Leased
- 15 SOLAR Solar
- 16 WOOD Wood
- 17 WATER Water
- 18 OTHER Other/See Remarks

N. DINING AREA (REQUIRED)

- 1 ALCOV Dining L/Alcove
- 2 EBAR Eating Bar
- 3 ES/K Eating Space in Kitchen
- 4 FORML Formal
- 5 KIT/D Kitchen/Dining Combo
- 6 KIT/F Kitchen/Family Room
- 7 LIV/D Living/Dining Combo

O. FIREPLACE

- 1 1 One
- 2 2 Two
- 3 3+ Three+
- 4 LIVIN Living Room
- 5 FAMIL Family Room
- 6 KT/HR Kitchen/Hearth Room
- 7 RECRM Rec Room/Den
- 8 MSTBD Master Bedroom
- 9 GAS Gas
- 10 WOOD Woodburning
- 11 ELECT Electric
- 12 2 WAY Two Way
- 13 BLOWR Blower
- 14 FREES Free Standing
- 15 GASS Gas Starter
- 16 INSER Insert
- 17 WDTV Wood Stove

P. KITCHEN FEATURES

- 1 DESK Desk
 - 2 EATBR Eating Bar
 - 3 ISLND Island
 - 4 PANTR Pantry
 - 5 RNGHD Range Hood
 - 6 ELEHK Electric Hookup
 - 7 GASHK Gas Hookup
- Q. APPLIANCES
- 1 NONE None
 - 2 DISHW Dishwasher
 - 3 DISP Disposal
 - 4 MICRO Microwave
 - 5 REFRG Refrigerator
 - 6 RNG/O Range/Oven
 - 7 TRASH Trash Compactor
 - 8 WASHR Washer
 - 9 DRYER Dryer

R. MASTER BEDROOM

- 1 MBSEP Master Bdrm on Sep. Floor
- 2 MBMN Master Bdrm on Main Level
- 3 SPLIT Split Bedroom Plan
- 4 MBBA Master Bedroom Bath
- 5 1/2BM 1/2 Bath/Master Bedroom
- 6 SH/MB Shower/Master Bedroom
- 7 TB/MB Tub/Master Bedroom
- 8 TS.MB Tub/Shower/Master Bdrm
- 9 STS/M Sep. Tub/Shower/Mstr Bdrm

S. OTHER ROOMS

- 1 BONUS Bonus Room
- 2 DRESS Dressing Room
- 3 EXERC Exercise Room
- 4 FAMRM Family Room-Main Level
- 5 FOYER Foyer
- 6 GRNHS Green House
- 7 GUEST Guest Quarters
- 8 HRTH Hearth Room
- 9 LIB Library
- 10 LOFT Loft
- 11 MUDRM Mud Room
- 12 OFFIC Office
- 13 STORG Storage
- 14 STORM Concrete Storm Room
- 15 SUNRM Sun Room
- 16 THTR Theater
- 17 WRKSH Workshop

T. LAUNDRY (REQUIRED)

- 1 NONE None
- 2 BSMT Basement
- 3 LOWER Lower Level
- 4 MAIN Main Floor
- 5 UPPER Upper Level
- 6 SEP Separate Room
- 7 GAS Gas Hookup
- 8 220-E 200-Electric

U. INTERIOR AMENITIES

- 1 CFANS Ceiling Fan(s)
- 2 CNTRV Central Vacuum
- 3 CEDAR Closet-Cedar
- 4 WALK Closet-Walk-In
- 5 DECFP Decorative Fireplace
- 6 ELECA Electronic Air Filter
- 7 FPD/S Fireplace Doors/Screens
- 8 HANDI Handicap Access
- 9 HARDW Hardwood Floors
- 10 HOTTB Hot Tub
- 11 HUMD Humidifier
- 12 INTER Intercom System
- 13 OWTRS Owned Water Softener
- 14 SAUNA Sauna
- 15 SECSY Security System
- 16 SKYLT Skylight(s)
- 17 VAULT Vaulted Ceiling
- 18 WTRPF Wtr Purification/Filter
- 19 WETBR Wet Bar
- 20 WHIRL Whirlpool
- 21 ALLWC Window Coverings-All
- 22 PTWC Window Coverings-Part
- 23 WSURS Wired for Surround Sound

V. POSSESSION (REQUIRED)

- 1 CLOSE At Closing
- 2 NEGOT Negotiable
- 3 TENRT Tenant Rights
- 4 LS/PR Lease/Purchase
- 5 LS/OP Lease/Option

W. PROPOSED FINANCING

- 1 CONV Conventional
- 2 FHA FHA
- 3 VA VA
- 4 R/ELI Release Eligibility Req.
- 5 LS/PR Lease/Purchase Option
- 6 R/LIA Release of Liability Req.
- 7 OWNER Owner Carry
- 8 ASSUM Assumption
- 9 WLEAS Will Lease
- 10 OTHER Other/See Remarks

X. WARRANTY (REQUIRED)

- 1 BLDA No Warranty Provided
- 2 BLDP Builder Warranty
- 3 HBPPP HBPPP Purchased
- 4 TERM Termite Contract

Y. OWNERSHIP (REQUIRED)

- 1 CORP Corporate
- 2 INDIV Individual
- 3 RELO Relocation
- 4 REO REO
- 5 HUD HUD
- 6 VA VA

Z. NEIGHBORHOOD AMENITIES

- 1 ASTRP Airstrip
- 2 CLUBH Club House
- 3 COMLD Community Laundry
- 4 DAYCR Day Care Facility
- 5 EXFAC Exercise Facility
- 6 GOLF Golf Course
- 7 GRBLT Greenbelt
- 8 JGPTH Jogging Path
- 9 LAKE Lake/Pond
- 10 PLAYG Playground
- 11 SAUNA Sauna/Hot Tub
- 12 SCRTY Security
- 13 STRGE Storage
- 14 SWIMP Swimming Pool
- 15 TENCT Tennis Courts

ZA. PROPERTY CONDITION REPORT (REQUIRED)

- 1 YES Yes
- 2 NO No

(1) Class
RE

Multiple Listing Service for
South Central Kansas MLS, Inc
RESIDENTIAL DATA FORM

MLS # _____

- ZB. HOA DUES INCLUDE**
- 1 EXMNT Exterior Maintenance
 - 2 EXTIN Exterior Insurance
 - 3 LAWNS Lawn Service
 - 4 RCFAC Recreation Facility
 - 5 SCRTY Security
 - 6 SNOWR Snow Removal
 - 7 TRASH Trash
 - 8 UTIL Utilities
 - 9 WATER Water
 - 10 OTHER Other/See Remarks
- ZC. DOCUMENTS ON FILE**
- 1 ADDPH Additional Photos
 - 2 DOCON Documents Online
 - 3 FLRPN Floor Plan
 - 4 GWTR Ground Water
 - 5 LEAD Lead Paint
 - 6 SPD Sellers Prop. Disclosure
 - 7 STRCT Structural Engineer Rep.
 - 8 SURVY Survey
 - 9 OTHER Other/See Remarks
- ZD. SHOWING INSTRUCTIONS (REQUIRED)**
- 1 CALLA Call List Agent/Office
 - 2 COLB Company Lock Box
 - 3 MLSBX MLS Lock Box
 - 4 VAC-C Vacant-Call List Agent
 - 5 VAC-S Vacant-Go Show
 - 6 INSTR Special Instructions
 - 7 TENAN Tenants
 - 8 SECSY Security System
 - 9 DOG Watch Out for Dog
 - 10 SHOW# Call Showing #
- ZE. SUBMISSION INFO**
- 1 NO I No Internet
 - 2 NO P No Photo Required
 - 3 SUBP Submit Photo
 - 4 TAKEP Take Photo
 - 5 UC Under Construction
- ZF. TYPE OF LISTING (REQUIRED)**
- 1 ER Exd Right w/o Reserve
 - 2 W/RES Exd Right w/Reserve
 - 3 EA Exd Agency w/o Reserve
 - 4 EARE Exd Agency w/Reserve
- ZG. AGENT TYPE (REQUIRED)**
- 1 DSA Designated Sell Agent
 - 2 EX TB Exd Transaction Broker
 - 3 S AGT Sellers Agent

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

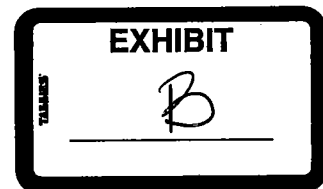
_____)
In the Matter of)
REALCOMP II LTD.,) DOCKET NO: 9320
Respondent.) Chief Administrative Law Judge
_____) Stephen J. McGuire

AFFIDAVIT OF LAURA RAUDONIS

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

After having been duly sworn, Laura Raudonis deposes and states:

1. I am the Chief Executive Officer of South Central Kansas MLS, Inc., (“SCK MLS”), which responded to a third-party subpoena *duces tecum* issued by Complaint Counsel in this case.
2. In response to this subpoena, SCK MLS copied and provided to Complaint Counsel an electronic file that contained information maintained by SCK MLS on residential listings for the four-year period January 1, 2002 through December 31, 2006. At the request of Complaint counsel, and pursuant to the Subpoena, all information maintained as to those listings was included in the electronic file.
3. The electronic file produced constitutes a substantial portion of the database maintained by SCK MLS. This database is not public. Access to the database is restricted to members and associate members of SCK MLS. The database is password protected. SCK MLS rules restrict the uses that members and associate members can make of information contained in the database.
4. Among the fields maintained by the SCK MLS, and included in the electronic file



produced in response to the subpoena, is a field called "Private Remarks." In this field there are references to matters such as codes for disarming alarm systems, codes for opening lock boxes containing keys, and other confidential information used by members to access listed properties. The nature of the information contained in "Private Remarks" is such that members printing such information from the database is prohibited. The information placed in the "Private Remarks" field is truly intended by those placing it into that field to be treated as private, and members rely upon the fact that the information will be treated as confidential when they decide to place information within that field.

5. The electronic file includes actual sales information on property sold. Under Kansas law, although sales prices are reported to property tax officials, such information is restricted. The restrictions on the dissemination of this information would be violated if the actual sales information were to be made public.

6. The information in the electronic file, and the database from which it is drawn, is the single most valuable asset of SCK MLS. Maintaining that database and insuring that it is secure is the largest expense incurred by SCK MLS. It would be nearly impossible or be prohibitively expensive for some other source to replicate the data. It would severely harm SCK MLS's ability to collect the necessary data in the future, or to continue to serve its members if the information were disclosed and made public.

7. Association rules provide that the information maintained in the database is confidential and to be used exclusively by association participants, and certain real estate professionals associated with those participants. The transmission, or retransmission, of information from the database to persons not affiliated with the MLS service is strictly prohibited by the Rules

of SCK MLS. The use, reproduction, and distribution of compilations of information from the database is strictly regulated by the rules of SCK MLS.

Further Affiant Saith Naught.

Laura Raudonis
Laura Raudonis

SUBSCRIBED AND SWORN TO before me this 30th day of May, 2007.



Lori D. Munoz
Notary Public

My Appointment Expires:

10/12/08