



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

January 28, 2014

Laura Jean Meade
State of Ohio

Re: *In the Matter of Ganley Ford West, Inc., FTC File No. 122 3269*

Dear Ms. Meade:

Thank you for commenting on the Federal Trade Commission's proposed consent agreement in the above-referenced proceeding. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

As we understand your comment, you question why the proposed order only requires compliance for a period of 20 years and whether the individual salespeople must also comply, and suggest that Ganley Ford West, Inc. (Ganley), should pay a fine. First, under the Commission's published "sunsetting" policy governing the duration of FTC administrative orders, such as this order against Ganley, a 20-year compliance period is the standard requirement. Further, while the proposed order only applies to Ganley for 20 years, Ganley will remain subject to the FTC Act's prohibition on unfair or deceptive practices even after the order "sunset." Second, Parts I and III of the proposed order include salespeople. Third, under the law, a fine may not be assessed for violating Section 5(a) of the FTC Act. However, during the 20-year period, if the FTC believes there is a violation of any part of this order, the respondent can be sued in federal court and, if found in violation of the order, may be subject to a fine of \$16,000 for each violation of the proposed order. After consideration of your comment, the Commission has determined that the relief set forth in the consent agreement is appropriate and sufficient to remedy the violations alleged in the Complaint.

Accordingly, the Commission has determined that the public interest would best be served by issuing the Decision and Order in this matter in final form without modification. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. It helps the Commission's analysis to hear from a variety of sources in its work, and we thank you again for your comment.

By direction of the Commission.

Donald S. Clark
Secretary