

July 15, 2006

Federal Trade Commission/Office of the Secretary, Room H-135 (Annex W)
Re: Business Opportunity Rule, R511993
600 Pennsylvania Avenue, NW
Washington, DC 20580

RE: Business Opportunity Rule, R511993

Dear Sir or Madam:

I am writing this letter because I am concerned about the proposed Business Opportunity Rule R511993. I believe that in its present form, it could harm my business and prevent me from continuing as an Arbonne Independent Consultant. I understand that part of the FTC's responsibility is to protect the public from "unfair and deceptive acts or practices," but some areas of the proposed rule will make it very difficult, if not impossible, for me to sell Arbonne products and sponsor people into the business. In fact, it may destroy my business!

One of the most confusing and restrictive sections of the proposed rule is the 7-day waiting period to sign up new Consultants. Not only do Arbonne Starter Kits cost a nominal amount of money, the proposed waiting period gives the impression that there might be something wrong with the Arbonne opportunity. It also casts a negative impression on me – and assumes unethical behavior or infers that a client or consultant may be 'pressured' into the Arbonne Opportunity. Furthermore, under this waiting period requirement, I will need to keep very detailed records when I first speak to someone about Arbonne and keep track of when to follow up. My business is successful because I have been able to capture the enthusiasm and immediate results prospects experience with Arbonne products and the waiting period would only serve to limit my ability to grow my business. I believe that this would constitute an undue burden on me and all other Independent Consultants!

The proposed rule also calls for the release of **any** information regarding lawsuits involving misrepresentation, or unfair or deceptive practices. It does not matter if the company was found innocent. A lawsuit may incorrectly imply wrongdoing. In my opinion, it is unfair to disclose lawsuit information unless Arbonne has been found guilty or negligent. I fear being penalized by the impression a lawsuit would leave, even if I have done nothing wrong. As a lawyer, I witnessed first-hand the negative impact a lawsuit had on my clients – once they were sued and this fact was publicized, the damage was done – even in instances of a defendant being found 'innocent' or 'not guilty'. That damage is irreversible and permanent. The release of information regarding lawsuits would definitely negatively impact my business!

Finally, the proposed rule requires the disclosure of a minimum of 10 prior Independent Consultants nearest to the prospective Consultant. I am glad to provide references, but identity theft is a reality we live with in today's world and I am very uncomfortable with giving out personal information about individuals, without their permission or knowledge, to

strangers. This type of information may also lead to racial or sexual harassment to the women in my organization! Also, sharing this information could damage the business relationship of references with those involved in other companies or businesses, or provide an unfair advantage to competitors. In order to get the proposed list of 10 prior Independent Consultants, I would need to send the address of a prospect to the Arbonne corporate office in California and then wait for the list. The proposed rule also includes the language, "If you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers" and prospects will be understandably concerned about their privacy. I would find it an invasion of privacy to disclose personal data, for my business purposes.

I have been an Arbonne Independent Consultant for more than 9 years. I became a Consultant because I love the products and our family was in need of a second source of potential income. Now my family depends on this income. Since starting my Arbonne business, I have developed a team of hundreds of Independent Consultants across the country and together we are helping our families enjoy better lives.

I truly appreciate the work of the FTC in protecting consumers, but I believe this proposed new rule would have many detrimental (and unintentional) consequences and I hope there are alternative means to resolving the outstanding issues at hand, without harming the livelihood of millions of successful network marketers, like me.

Thank you for your time and understanding.

Sincerely,

Kathleen M. Heyn, J.D.
Independent Consultant
Executive National Vice President
Arbonne International