

522418-70078

Nicole Workman, Independent Contractor
Swiss Colony Occasions

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

July 4th, 2006

Dear Sir or Madam,

I am writing this letter because it has been brought to my attention of a proposed Business Opportunity Rule R511993. I strongly believe in its present form, it could prevent me from continuing as a Swiss Colony Occasions Party Coordinator. I understand that part of the FTC's responsibilities is to protect the public from "unfair and deceptive acts or practices" but some of the sections in the proposed rule will make it very difficult if not impossible for me to sell Swiss Colony Occasions products.

Direct Sales has been my lively hood and provided an income for my family for over 8 years. I have been able to offer other men and women the opportunity to become their own boss and work towards the American Dream. The Direct Sales forum is a way to achieve success in a competitive market. However, only those who are truly motivated and driven sustain a career in direct sales. Therefore, one of the most troublesome sections of the proposed rule is the seven day waiting period to enroll new Party Coordinators. Swiss Colony Occasions start up kit only costs \$199.00 plus ship and tax. People buy entertainment equipment, cars, and other items that cost much more than that and they do not have to wait seven-days. This seven day waiting period casts the direct sell plan in a negative light and leads people to believe there might be something wrong with engaging in direct sales. I also think this seven day waiting period is unnecessary, because Swiss Colony Occasions already has a 90% buyback policy for all products including sales kits purchased by a salesperson within the last twelve months. Under this waiting period requirement, I will need to keep very detailed records when I first speak to someone about Swiss Colony Occasions and will then have to send in many reports to Swiss Colony Occasions home office. This is time I could spend on doing money making endeavors.

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. Today, anyone or any company can be sued for almost anything. I disagree with the need to disclose this information if the company is found not guilty of wrong doing. Otherwise, Swiss Colony Occasions and I are put at an unfair advantage even though Swiss Colony Occasions has done nothing wrong.

Finally, the proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. Last year alone I sold over 50,000 in products and worked with 1000's of customers. I am glad to provide references but within a certain

000001.

proximity is a timeless task. Nor, do I feel that my customers would want me to release personal information without their approval to complete strangers. In today's society identity theft is on the rise and I don't feel like contributing to that already difficult problem.

As I have stated direct sales has been my lively hood for over 8 years. Originally, I became an Independent Consultant for free product. I had graduated from the University of Tennessee and worked as a licensed therapist at East Tennessee Children's hospital when this opportunity was presented. Due to my immediate success, I ended up quitting my full time job to pursue a career in direct sales. Over the past 8 years I have earned several awards and recognition. In addition, I have been able to provide for my family and recently gave birth to our first child. Swiss Colony Occasions allows me to clock in each morning as a Mom and clock out when I see fit. If I had to punch in every day at the hospital then I would miss Evan's firsts. But, because of my opportunity 8 years ago I don't have to miss anything. I find it taking away my opportunity of the American Dream not to listen to those this proposed rule directly effects.

In closing, I hope that you would consider all I have stated. I appreciate the work of the FTC to protect customers, but I believe this proposed new rule has many unintended consequences and that there are less burdensome alternatives available in achieving its goals.

Sincerely,



Nicole Workman