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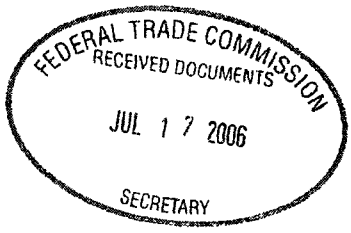

Dr. David Kendall
Mrs. Cynthia Kendall
Cynergy International, Inc.
[redacted]

July 13, 2006

Dear Sir or Madam:

The proposed Business Opportunity Rule R511993 has recently come to our attention, and we wish to comment. As retired educators, we have both been besieged over the years with offers to become involved with Direct Selling and MLM companies. At times we have felt harassed and in need of governmental protection from unscrupulous recruiters. So we applaud the FTC's efforts to keep such people from taking advantage of us.

On the other hand, one of America's finest attributes is freedom of choice, which implies not only freedom of information but also freedom from mandatory governmental obstacles. As we read the proposed rule, it seems far in excess of what is needed and desired for optimal results, from the viewpoint of both an established business owner and a prospective one.

We retired as educators because it was time to do so, time to turn that task over to younger generations. But, both financially and mentally, we knew that eliminating meaningful work from our lives was a risk we were unwilling to take. Yet, as older workers, our opportunities were limited. Working from home as distributors for a decent company with useful products seemed like a good idea. We could add to our retirement income, and yet control our time. We could continue to help others as we had always done in our previous profession, we could own our own business, and maintain our own honesty and integrity.

We began to work with one MLM company while retirement was still a ways off, but found that our time and effort did not match our desired results. The company was fine and is now traded on the stock market, and we still use some of their products. But owning a business was new to us, and we didn't have the training that we needed, although we didn't realize it at the time.

After a few years of very limited results, we left that company and became distributors for a start-up MLM company. We used the education we had received from our previous struggles and began to steadily progress. Unfortunately, that company went out of business after a couple of years because it didn't have a viable business plan, even though it modeled high integrity and distributed excellent products.

We decided to move from New York State to North Carolina in 1998 and stumbled onto the company we presently service. With our improved business sense, much hard work, and an outstanding marketing plan, we have steadily moved to the highest level in the company, and have ourselves incorporated our own distribution and recruitment business. The products are outstanding and healthy, and many people have improved both their economic and personal lives through our help in starting up their businesses. We always maintain the highest possible business integrity, and our training is substantial and devoted to the best aspects of interpersonal relationships and personal growth. As a former college professor in the field of psychological counseling, I can honestly say that I have learned more of personal value as a representative of this company than I ever learned elsewhere – and I have tried to pass it forward.

The income we have received over the past 8 years has not only allowed us to continue and even improve our lifestyle, but it has also enabled us to keep a relative from going into bankruptcy by paying off a 6-figure debt with after-tax money. In addition, our daughter is currently pursuing this same business fulltime, having found that some of the products we market substantially enhanced her daily activities.

I understand that all network marketing companies are not so integrity-based, but neither are many blue-chip corporations, as we all know. Some of the proposed aspects of Rule R511993 will just make it more difficult for us to make a decent living in our older years, without accomplishing much along the way. It seems like "throwing the baby out with the bathwater." Please rethink your proposal. Seek to protect people from the bad guys, but don't put us good guys out of business by creating so many obstacles that the public is actually encouraged to be suspicious, even where there is no malice.

We're not asking you to endorse us; we just want a level playing field. And some of your proposed rulings are going to drastically tilt that field and dramatically affect our incomes, and those of people who want our same level of success in the future. The 7-

Day waiting period, the demand for release of even **unsubstantiated** litigation, and the mandatory disclosure of private information to strangers about business owners who live close by, seem not only unnecessary but somewhat dangerous.

Yes, the public needs protection, but not at the expense of reducing or eliminating the businesses of those of us who are trying to serve that same public. I support your efforts to serve us, but not aspects of your proposed rulings that would substantially curtail our business freedom, and treat as children those citizens who can make up their own minds without unnecessary FTC interference. We will pray for your success in accomplishing your mission.

Most sincerely,

[redacted]