

Order

55 F.T.C.

IN THE MATTER OF
PROFESSIONAL INSURANCE CORPORATION

ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT

Docket 6279. Complaint, Dec. 28, 1954—Order, Oct. 7, 1958

Order dismissing, for lack of jurisdiction, following the ruling of the Supreme Court of the United States in *Federal Trade Commission v. National Casualty Company* and *Federal Trade Commission v. The American Hospital and Life Insurance Company*, 357 U.S. 560, complaint charging an insurance company in Jacksonville, Fla., with false advertising of its health and accident policies.

Before Mr. J. Earl Cox, hearing examiner.

Mr. Francis C. Mayer, Mr. Eugene Kaplan and Mr. Franklin A. Snyder, for the Commission.

Strasburger, Price, Kelton, Miller & Martin, by Mr. Royal H. Brin, Jr., and Mr. H. W. Strasburger, of Dallas, Tex., for respondent.

FINAL ORDER

This matter having been considered by the Commission upon its review of the hearing examiner's initial decision dismissing the complaint on the grounds of (1) lack of jurisdiction in the Commission, and (2) discontinuance of the practices alleged to be unlawful; and

The Commission having concluded that the proceeding should be dismissed solely on jurisdictional grounds on the authority of the Supreme Court's *per curiam* opinion in the combined cases of *Federal Trade Commission v. National Casualty Company* and *Federal Trade Commission v. The American Hospital and Life Insurance Company*, 357 U.S. 560 (decided June 30, 1958), and that oral argument of the matter, as requested by the respondent, is not necessary:

It is ordered, That respondent's request for oral argument be, and it hereby is, denied.

It is further ordered, That the initial decision filed herein on May 19, 1958, be, and it hereby is, vacated and set aside.

It is further ordered, That the complaint in this proceeding be, and it hereby is dismissed.

Order

IN THE MATTER OF
INTER-OCEAN INSURANCE COMPANYORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT

Docket 6392. Complaint, July 18, 1955—Order, Oct. 7, 1958

Order dismissing, for lack of jurisdiction, following the ruling of the Supreme Court of the United States in *Federal Trade Commission v. National Casualty Company* and *Federal Trade Commission v. The American Hospital and Life Insurance Company*, 357 U.S. 560, complaint charging an insurance company in Cincinnati, Ohio, with false advertising of its health and accident policies.

Before *Mr. Loren H. Laughlin*, hearing examiner.

Mr. John W. Brookfield, Jr. and *Mr. Donald K. King* for the Commission.

Mr. Richard W. Barrett and *Mr. William L. Blum* of *Dinsmore, Shohl, Sawyer and Dinsmore*, of Cincinnati, Ohio, and *Mr. Brooks Trueblood*, Associate Counsel of Respondent, all appearing for the respondent.

Mr. James C. Jay, of Indianapolis, Ind., Special Counsel for the State of Indiana and the Insurance Department of the State of Indiana, appearing herein as *amicus curiae*.

FINAL ORDER

This matter having come on to be heard upon the appeal of counsel in support of the complaint from the initial decision of the hearing examiner dismissing the complaint on the ground of a lack of public interest in the proceeding; and

The Commission having determined that this matter is governed by the decision of the Supreme Court of the United States in the combined cases of *Federal Trade Commission v. National Casualty Company* and *Federal Trade Commission v. The American Hospital and Life Insurance Company*, 357 U.S. 560 (decided June 30, 1958), and that the complaint herein should be dismissed solely on the basis of the aforesaid authority:

It is ordered, That the initial decision of the hearing examiner be, and it hereby is, vacated and set aside.

It is further ordered, That the complaint in this proceeding be, and it hereby is, dismissed.