

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.

Order

55 F.T.C.

IN THE MATTER OF
WORLD INSURANCE COMPANY

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

Docket 6455. Complaint, Nov. 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 Omaha, Nebr., with false advertising of its health and accident policies.

Before Mr. Frank Hier, hearing examiner.

Mr. William A. Somers for the Commission.

Mr. J. W. Marer, of Omaha, Nebr., for respondent.

FINAL ORDER

This matter having come on to be heard by the Commission upon respondent's appeal from the hearing examiner's initial decision filed prior to the *per curiam* opinion of the United States Supreme Court 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

Counsel for respondent additionally having filed a motion to dismiss the complaint, based upon the aforesaid decision of the Supreme Court; and

The Commission, having considered respondent's motion to dismiss and the record, and having concluded that this proceeding should be dismissed on jurisdictional grounds upon the authority of said ruling of the Supreme Court:

It is ordered, That the initial decision herein, filed October 22, 1956, be, and it hereby is, vacated and set aside.

It is further ordered, That the complaint herein be, and it hereby is, dismissed.