

ARTHUR MURRAY STUDIO OF WASHINGTON,
INC., ET AL.*Docket 8776. Order, Aug. 6, 1969*

Order contingently withdrawing case from adjudication if respondent accepts the new paragraph 10 in a consent order relating to customer's right to rescind dance contracts.

ORDER CONTINGENTLY WITHDRAWING MATTER FROM
ADJUDICATION

This matter is before the Commission upon the examiner's certification of July 10 of a joint motion by complaint counsel and counsel for respondent dated July 8, 1969, that the above-captioned matter be withdrawn from adjudication and the settlement agreement with consent order be accepted.

The Commission is of the opinion that Paragraph 9 of the consent order does not afford an adequate basis for settlement. An acceptable order for settlement purposes would require respondents to cease and desist from:

9. Entering into one or more contracts or written agreements for dance instruction or any other service provided by respondents' dance studios when such contracts or written agreements obligate any party to pay a total amount which at any one time exceeds \$1,500.

To avoid confusion, the last sentence of existing Paragraph 9 should be redrafted as new Paragraph 10 as follows:

10. Entering into any contract or written agreement for dance instruction or any other service provided by respondents' dance studio unless such contracts or written agreements, regardless of the obligation incurred, shall bear the following notation in at least 10-point bold type:

Notice: You may rescind (cancel) this contract, for any reason whatever, by submitting notice in writing of your intention to do so within seven (7) days from the date of making this agreement.

If you rescind (cancel) this contract, the only cost to you will be a fair charge for any lessons or services actually furnished during the period prior to rescission, and all moneys due will be promptly refunded.

All paragraphs following should be renumbered to reflect these changes. In the event counsel submit an executed consent agreement, including the foregoing revision of Paragraphs 9 and 10 within 30 days of the date of this order,

It is ordered, That upon receipt of such agreement, the matter be withdrawn from adjudication.

It is further ordered, That unless an amended executed consent agreement be received in accordance with the foregoing, this matter not be withdrawn from adjudication.