

IN THE MATTER OF  
FROZEN FOOD FORUM, INC., ET AL.

*Docket 8890. Interlocutory Order, Aug. 5. 1974*

Order establishing periods of time for filing and length of briefs by counsel supporting the complaint and respondent respectively, on the question of whether, in view of the unavailability of evidence, this proceeding should be dismissed.

*Appearances*

For the Commission: *William E. Mumford, Lewis F. Parker, Joel S. Thwaites, Ronald C. Cougill and Charles C. Murphy, Jr.*

For the respondents: *Arnall, Golden & Gregory, Atlanta, Ga. and W. A. Bentley, Chickering & Gregory, San Francisco, Calif.*

In view of the Commission's request to the United States District Court for the Northern District of Georgia to dismiss the subpoena enforcement proceeding against respondents, with the result that the evidence called for by the subpoenas will not be produced, the Commission has determined to consider whether to dismiss this proceeding:

Accordingly, *It is ordered*, That complaint counsel shall within thirty (30) days from the date of this order serve and file a brief (not to exceed fifty (50) pages) with the Commission limited to the following question: whether, in view of the unavailability of evidence, this proceeding should be dismissed. Upon receipt of complaint counsel's brief, respondents may within twenty (20) days serve and file a reply brief (not to exceed (50) pages) limited to the same question.

Complaint

84 F.T.C.

IN THE MATTER OF

## DAHLBERG ELECTRONICS, INC.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF THE  
FEDERAL TRADE COMMISSION ACT*Docket 8929. Complaint, May 8, 1973—Decision, Aug. 6, 1974*

Consent order requiring a Minneapolis, Minn., manufacturer of hearing aids, among other things to cease imposing customer and territorial restrictions and exclusive dealing requirements on its dealers; maintaining resale prices; restricting dealers in cooperative advertising from stating that dealers deal in other brands of hearing aids. Failing to include warranties with products sold by respondents. Further, respondent is required to place in a trade journal a full-page ad clearly disclosing particulars of the order, and to maintain for a ten-year period a file record of any refusal to sell.

*Appearances*

For the Commission: *Alan I. Leibowitz, L. Barry Costilo, Dennis R. Carluzzo and James C. Donoghue.*

For the respondent: *Arent, Fox, Kintner, Plotkin & Kahn, Wash., D. C.*

## COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act (Title 15, U.S.C. Section 41, *et seq.*) and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that the party identified in the caption hereof, and more particularly described and referred to hereinafter as respondent, has violated the provisions of Section 5 of the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the interest of the public, hereby issues its complaint, stating its charges as follows:

PARAGRAPH 1. Respondent Dahlberg Electronics, Inc., (hereinafter sometimes referred to as "Dahlberg") is a corporation organized under the laws of the State of Minnesota, with its principal office and place of business at 7731 Country Club Drive, Minneapolis, Minn. Dahlberg is a wholly-owned subsidiary of Detection Sciences, Inc., a Minnesota Corporation, with its office and principal place of business located at 7731 Country Club Drive, in the city of Minneapolis, State of Minnesota.

Par. 2. Respondent is engaged in the business of manufacturing, distributing, selling and repairing of hearing aids and related articles, sometimes referred to as "Dahlberg products." It distributes and sells