

Order

88 F.T.C.

IN THE MATTER OF  
THE RAYMOND LEE ORGANIZATION, INC., ET AL.

*Docket 9045. Order, Sept. 13, 1976*

Denial of motion for joinder of another party.

*Appearances*

For the Commission: *Harriet G. Mulhern.*

For the respondents: *M. I. Lewis, Lans, Feinberg & Cohen*, New York City for The Raymond Lee Organization, Inc. and Raymond Lee. *M. C. Michael, Schwenke & Devine*, New York City for Lawrence Peska.

ORDER DENYING MOTION FOR JOINDER OF ANOTHER PARTY

This matter is before us on the administrative law judge's certification of a motion filed by respondents The Raymond Lee Organization, Inc., and Raymond Lee to join as a respondent in this proceeding Lawrence Peska Associates, Inc. The ALJ recommends that the motion be denied for the following reasons: (1) addition of a new party would substantially delay the trial of this proceeding, which is now scheduled to commence on September 20, 1976; and (2) an order entered against Lawrence Peska, if warranted by the record, would provide the public "substantial protection."<sup>1</sup>

We agree with the ALJ that respondents have failed to make a showing sufficient to warrant the addition of a new party on the eve of trial. Accordingly,

*It is ordered*, That the aforesaid motion be, and it hereby is, denied.  
Commissioner Dole not participating by reason of absence.

<sup>1</sup> Order (1) Denying Respondents' ("RLO's") Motion for Reconsideration of Motion for Extensions of Time or Alternatively for Permission to Appeal to Commission and (2) Certifying to the Commission RLO's Motion for Joinder of Another Party, at 5-6.

## IN THE MATTER OF

## KAUFMAN CARPET CO., INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF THE  
FEDERAL TRADE COMMISSION ACT*Docket 9030. Complaint, Apr. 29, 1975 — Decision, Sept. 17, 1976*

Consent orders requiring two carpet testing firms located in East Rockaway, N.Y., and Yonkers, N.Y., among other things to cease furnishing false or misleading carpet testing reports and/or test results; and changing, altering, or excluding pertinent particulars in their test reports.

Consent order requiring a Lodi, N.J., carpet retailer, among other things to cease misrepresenting guarantees, quality and grade of carpeting, authenticity and results of tests in test reports; and failing to conspicuously disclose exclusions, limitations, and conditions of guarantee coverage in conjunction with guarantee statements. Further, respondent is prohibited from influencing or altering the contents or results of test reports; and required to furnish to consumer complainants, by certified mail, true test reports within a specified time period, and to maintain adequate records relating to compliance obligations of the order.

*Appearances*

For the Commission: *John A. Crowley* and *Shirley F. Sarna*.

For the respondents: *Edward J. Walsh, Jr., Hays, St. John, Abramson & Heilbron*, New York City, *Brian Rappaport*, Brooklyn, N.Y., *Bresler, Kallman, Hackmyer & Walzer*, New York City, *Benjamin Wiener*, Yonkers, N.Y.

## COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that Kaufman Carpet Co., Inc., a corporation, Henry Intrator, individually and as an officer of said corporation, Irving L. Mermer and Benjamin Wiener, individually and as co-partners trading and doing business as The Durotone Company, and Alvin Myman, individually, and trading and doing business as A & M Carpet Service Co., hereinafter referred to as respondents, have violated the provisions of said Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest hereby issues its complaint stating its charges in that respect as follows:

PARAGRAPH 1. Respondent Kaufman Carpet Co., Inc. is a corporation organized, existing and doing business under and by virtue of the laws