

IN THE MATTER OF
AMREP CORPORATION

Docket 9018. Order, Sept. 28, 1976

Administrative law judge's recommendation to obtain transcript of grand jury testimony taken under advisement pending report from administrative law judge, upon resumption of administrative hearing, relative to disclosure to the parties of said testimony in the criminal trial.

Appearances

For the Commission: *Perry W. Winston, Jon R. Calhoun and George E. Schulman.*

For the respondent: *Martin M. Maneker, Proskauer, Rose, Goetz & Mendelsohn, New York City and Peter W. Williamson and Michael E. Schoeman, New York City.*

ORDER

The administrative law judge on July 6, 1976, certified to the Commission a recommendation that appropriate action be taken to obtain transcripts of grand jury testimony of various witnesses named in a subpoena duces tecum issued by the administrative law judge on June 17, 1976, who have testified, or are expected to testify, during the presentation of complaint counsel's case-in-chief. On August 2, 1976, the ALJ, in a supplementary report, advised that the transcripts of two of the witnesses have been made available to the parties in the instant proceeding and that two of the witnesses did not testify before the grand jury. The ALJ now recommends that the Commission attempt to procure the testimony of the fifth witness, Paul W. Heinz. The recommendation, however, may be mooted if the testimony is made available to defendant Amrep during the course of the trial in *United States v. Amrep Corp.*, 75 Cr. 1023 (S.D. N.Y.), pursuant to the Jencks Act, 18 U.S.C. §3500.¹

The Commission will, therefore, take the recommendation under advisement pending the certification of a report by the ALJ upon the resumption of the administrative hearing indicating whether complaint counsel intend to call Mr. Heinz as a witness, and, if so, whether Mr. Heinz' grand jury testimony was disclosed to the parties during the course of the criminal trial.

It is so ordered.

Commissioner Dole not participating by reason of absence.

¹ The Commission need not now address the question whether respondent is entitled to the testimony for use in the instant proceeding.

Complaint

88 F.T.C.

IN THE MATTER OF

NOSOMA SYSTEMS, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION ACT*Docket C-2841. Complaint, Sept. 28, 1976 — Decision, Sept. 28, 1976*

Consent order requiring a Vineland, N.J., debt collection agency and three of its affiliates among other things to cease, prior to obtaining a judgment, from communicating or threatening to communicate with a debtor's employer or other parties, other than spouse or attorney, who have no liability for the debt. Further, if respondents do not reveal that the inquiry concerns debt collection, they may communicate with third parties to locate a debtor whose whereabouts are genuinely unknown, or to determine the extent of a debtor's income or property.

Appearances

For the Commission: *Elliot Feinberg*.

For the respondents: *Hartman, Schlesinger, Schlosser & Foxton*,
Mount Holly, N.J.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act, as amended, and by virtue of the authority vested in it by said Act, the Federal Trade Commission, having reason to believe that the parties named in the caption hereof, 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 Nosoma Systems, Inc., (hereinafter referred to as Nosoma) is a corporation organized, existing and doing business under and by virtue of the laws of the State of New Jersey with its principal office located at 600 Landis Ave., Vineland, New Jersey.

Respondent Capital Collection Service of Vineland, Inc. (hereinafter referred to as CCS Vineland) is a corporation organized, existing and doing business under and by virtue of the laws of the State of New Jersey with its office and principal place of business located at 600 Landis Ave., Vineland, New Jersey.

Respondent Capital Collection Service of Atlantic City, Inc. (hereinafter referred to as CCS Atlantic City) is a corporation organized, existing and doing business under and by virtue of the laws of the State