

IN THE MATTER OF
USLIFE CREDIT CORPORATION, ET AL.

Docket 9057. Interlocutory Order, Nov. 2, 1976

Rejection of ALJ's certification of question whether testimony of certain witnesses should have been stricken on basis of complaint counsel's inability to produce certain interview notes.

Appearances

For the Commission: *Michael E. K. Mpras* and *Robert L. Patterson*.
For the respondents: *Bill Norton* for Uslife, Schaumburg, Illinois; *Tony Davey* for Uslife, New York City; and *Edward W. Keane, Bruce E. Clark, Sullivan & Cromwell*, New York City.

ORDER REJECTING CERTIFICATION

The administrative law judge has certified to the Commission the question whether the testimony of certain witnesses should have been stricken on the basis of complaint counsel's inability to comply with the ALJ's order requiring the production of certain interview notes. The Commission has concluded, however, particularly in the absence of an application for review, that the certification of this issue is unnecessary and is accordingly rejected. The ALJ may proceed to render an initial decision in this matter and the parties are free to raise the question of exclusion of evidence on appeal to the Commission. Since the Commission may consider the ruling on appeal and, if it concludes the ALJ improperly excluded the evidence, make other findings as are appropriate, the certification does not present the type of "controlling question of law or policy" which merits interlocutory consideration under Section 3.23(b) of the Rules of Practice.

It is so ordered.

Commissioner Dole did not participate by reason of absence.

Complaint

88 F.T.C.

IN THE MATTER OF

PANDE, CAMERON & CO. OF NEW YORK, INC.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION ACT*Docket C-2850. Complaint, Nov. 3, 1976—Decision, Nov. 3, 1976*

Consent order requiring a New York City importer and distributor of handmade rugs and carpets, among other things to cease enforcing and fixing established resale prices for its products. Further, respondent is prohibited from suggesting resale prices for the next three years and thereafter to indicate that any resale or retail price shown on pricing material is suggested or approximate only.

*Appearances*For the Commission: *Harold F. Moody.*For the respondent: *Edward G. Seitz, Gasperine & Savage*, New York City.

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 Pande, Cameron & Co. of New York, Inc., a corporation, and more particularly described and referred to hereinafter as respondent, has violated and is now violating the provisions of Section 5 of the Federal Trade Commission Act (15 U.S.C. §45), 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 with respect thereto as follows:

PARAGRAPH 1. Respondent Pande, Cameron & Co. of New York, Inc. is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York, with its office and principal place of business located at 295 Fifth Ave., New York, New York.

PAR. 2. Respondent has been and is now engaged in the importation, distribution and sale of handmade rugs and carpets. Respondent distributes and sells these products to retail dealers. In fiscal year 1974, the gross sales of the respondent were in excess of \$5,000,000.

PAR. 3. Respondent distributes and sells its products to retail dealers (hereinafter referred to as dealers) in the continental United States through salespersons and sales representatives who act under the direction and control and carry out the policies of respondent.

PAR. 4. In the course and conduct of its business as aforesaid, respondent causes and has caused, handmade rugs and carpets to be