

Order

88 F.T.C.

IN THE MATTER OF
KRAFTCO CORPORATION, ET AL.

Docket 9035. Interlocutory Order, Dec. 8, 1976

Commission directs parties to submit memoranda responding to relative merits of ALJ's proposed order and the consent order in IBM case, File 761 0063.

Appearances

For the Commission: *Ronald A. Bloch, Clinton R. Batterton, and Joseph Tasker, Jr.*

For the respondents: *David C. Bogan and C. Lee Cook, Jr., Chadwell, Keyser, Ruggles, McGee & Hastings, Chicago, Ill.; Howard Hoosin and William G. Taffe, Glenview, Ill.; William E. Willis, Sullivan & Cromwell, New York City; and Frederic L. Ballard, Ballard, Spahr, Andrews & Ingersoll, Philadelphia, Pa.*

ORDER REQUIRING ADDITIONAL BRIEFING

The Commission recently accepted and placed upon the public record for comment a consent order against International Business Machines Corporation, File No. 761 0063, pertaining to an allegedly unlawful interlocking directorate. At oral argument in Dkt. 9035 counsel were invited to comment upon the IBM order, but the necessity and purpose of such comment were left subject to question. The Commission desires the views of the parties in this matter concerning the following:

Assuming *arguendo* that the Commission finds that SCM has violated the law and that a remedial order is deemed appropriate, is the remedial approach taken in the IBM consent order preferable (and in what respects and why) to the order recommended in this case by the administrative law judge?

Receipt of the views of respondent SCM will, of course, by without prejudice to the position expressed in its brief that the consent order signed by respondent Kraftco is the appropriate one, but the Commission seeks the views of respondent as to the relative merits of the ALJ's proposed order and the IBM order. Therefore,

It is ordered, That within fifteen days from receipt of this order, the parties shall submit memoranda in response to the above-mentioned question.

IN THE MATTER OF

COMMERCIAL PROGRAMMING UNLIMITED, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND TRUTH IN LENDING ACTS*Docket 9029. Complaint, Apr. 23, 1975 — Decision, Dec. 9, 1976*

Consent order requiring a New York City training school for data processing and computer programming, among other things to cease misrepresenting employment opportunities and demands for graduates of their training courses; misrepresenting the effectiveness of their job placement service; and misrepresenting the advantages of taking additional courses. Respondents must advise prospective students of their right to cancellation and refund and provide certain written disclosures relating to job placement and dropout rates of former students. Additionally, respondent is required to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such disclosures as are required by Regulation Z of the said Act.

Appearances

For the Commission: *Alice T. Petizon* and *Joseph C. Galardi*.

For the respondents: *David Edelman* and *Walter S. Jennings*, New York City.

COMPLAINT

Pursuant to the provisions of the Federal Trade Commission Act and the Truth in Lending Act and the implementing regulation promulgated thereunder, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that Commercial Programming Unlimited, Inc., a corporation, and Walter Small, individually and as an officer of said corporation, hereinafter referred to as respondents, have violated the provisions of said Acts and implementing regulation, 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:

PAR. 1. Respondent Commercial Programming Unlimited, Inc., is a corporation, organized, existing and doing business under and by virtue of the laws of the State of New York with its principal office and place of business located at 853 Broadway, New York, New York.

Respondent Walter Small is an individual and an officer of the corporate respondent. He formulates, directs and controls the policy, acts and practices of the corporation, including the acts and practices