

IN THE MATTER OF
SOUNDTRACK CHEVELL INDUSTRIES, INC., ET AL.

DISMISSAL ORDER, OPINION, ETC., IN REGARD TO ALLEGED
VIOLATION OF THE FEDERAL TRADE COMMISSION ACT

Docket 8998. Complaint, Nov. 5, 1974 — Order, Dec. 17, 1976

Order dismissing complaint issued against two individual respondents, Lonnie and Gene Temple, in a case involving alleged deceptive acts and practices in the talent promotion business. The complaint was dismissed for lack of public interest.

Appearances

For the Commission: *John J. Hemrick* and *Jim B. Brookshire*.

For the respondents: *Jerry L. Buchmeyer* and *Schuyler B. Marshall*,
Thompson, Knight, Simmons & Bullion, Dallas, Texas.

ORDER DISMISSING COMPLAINT

This matter is before the Commission on the certification by the administrative law judge of a request by respondent Gene Temple that counsel be appointed to represent him in this matter. This request comes after completion of complaint counsel's case-in-chief, a similar request filed shortly before the hearing began having been denied as untimely. The administrative law judge recommends that the renewed request be granted.

Upon review of the present papers and those submitted on the numerous prior occasions since issuance of the complaint that this case had been before us, we are of the view that continuation of these proceedings would not be in the public interest. Accordingly, on our own motion, we direct that the complaint be dismissed as against the two remaining respondents, Lonnie and Gene Temple.

Commissioner Dole dissenting.

DISSENTING STATEMENT OF COMMISSIONER DOLE

I dissent from the dismissal of the complaint. I believe that further proceedings are in the public interest for the reasons indicated in the Commission's Order Denying Motions to Dismiss the Complaint as to Lonnie Temple and Gene Temple, May 11, 1976 [87 F.T.C. 1249]. Instead of dismissing the complaint, I would have granted respondent Gene Temple's request for appointed counsel.

Complaint

88 F.T.C.

IN THE MATTER OF

INTERSTATE CHECK SYSTEMS, INC., ET AL.

CONSENT ORDER, ETC., IN REGARD TO ALLEGED VIOLATION OF THE
FEDERAL TRADE COMMISSION AND FAIR CREDIT REPORTING ACTS*Docket C-2857. Complaint, Dec. 17, 1976 — Decision, Dec. 17, 1976*

Consent order requiring an Indianapolis, Ind., credit reporting firm, among other things to cease collecting, assembling, furnishing or utilizing consumer reports in violation of the Fair Credit Reporting Act.

Appearances

For the Commission: *Ronald G. McCauley* and *James S. Teborek*.

For the respondents: *Peter Grable, Watson, Gleason & Hay*, Indianapolis, Indiana.

COMPLAINT

Pursuant to the provisions of the Fair Credit Reporting Act and the Federal Trade Commission Act, and by virtue of the authority vested in it by said Acts, the Federal Trade Commission, having reason to believe that Interstate Check Systems, Inc., a corporation, and Gerald A. McColloum, individually and as an officer of said corporation, hereinafter sometimes referred to as respondents, have violated the provisions of said Acts, 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 Interstate Check Systems, Inc., is a corporation organized, existing and doing business under and by virtue of the laws of the State of Indiana, with its principal office and place of business located at 5306 N. Keystone Ave., Indianapolis, Indiana.

Respondent Gerald A. McColloum is an officer of said corporate respondent. He formulates, directs and controls the acts and practices of the corporate respondent, including the acts and practices hereinafter set forth. His address is the same as that of the corporate respondent.

PAR. 2. Subsequent to April 25, 1971, in the ordinary course and conduct of their business, respondents have compiled and published lists containing, among other things, the names and street numbers of consumers, together with statements of indications that such consumers have issued forged checks, checks drawn upon nonexistent accounts, or checks which have been returned by the drawee bank because of insufficient funds or other reasons.