Denise Swyers
Independent Longaberger National Sales Leader

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Dear Sir or Madam:

I am writing this letter because I am greatly concerned about the proposed Business Opportunity Rule R511993. I believe that in its present form, it could (and probably will) prevent me and my National Sales Team from continuing as Longaberger Consultants. I understand that part of the FTC's responsibilities is to protect the public from "unfair and deceptive acts or practices," yet some of the sections in the proposed rule will make it almost impossible for me or my group to sell Longaberger products and introduce the many people that need extra income to make ends meet in their household to join our company as a consultant.

I had been with Avon for 13 years and then in 1987, joined The Longaberger Company, for a total of 33 years in direct sales! So what I write, I write from the heart and with total knowledge of direct sales. 33 years ago, I was a disabled American and could not sit, stand, or do many things required for a "traditional" job. Direct Sales came along and it was a perfect fit and, at the time I was a single parent, it would allow me to earn much needed income. I joined Avon on their reputation as a company. Then many situations changed in my life over the years and I worked very hard to not have to wear a metal body brace and could move to another direct sales company with a fabulous reputation, Longaberger. If I had to wait 7 days, and not yet believing in myself, I know I would have talked myself out of what has turned into several life changes situations for me because of these two direct sale companies. And due to my hard work, I have been able to earn the money that put my son through school, purchase a car and add to the overall economy of the USA. Today I am married, and because of once again, physical limitations, Direct Sales allows me to support our family through my Direct Sales business. The future of my family is dependent on the stability of the direct selling industry!

I am very confused and bothered over the section of the proposed rule on the seven-day waiting period to enroll new Consultants into Longaberger. Longaberger's sales kit runs from $129 to $399 – with a One Year Money Back Guarantee! People buy cars, TV's, cars, appliances, the list can go on and on, that cost more – much more – than our kits and the consumer does not have to wait at all! This waiting period gives the impressions that there might be something wrong with our company or the compensation plan. And with our one-year full money back guarantee for the kit and any products the consultant has, I feel this is unnecessary. Under this waiting period requirement, I would need to keep very detailed records including my first contact with someone and would need to send in many reports to our corporate office. With someone with a brain injury, like myself, something like this sounds mind boggling. There are many people, like myself, in the same situation, and it is just one more way of being discriminated against. We need to simplify our lives, not add more things we need to complicate what we do.

The proposed rule also calls for the release of **any** information regarding lawsuits involving misrepresentation, or unfair or deceptive practices. From what I understand, this information has to be shared, even when the company was found innocent. Today, anyone or any company can be sued for almost anything and it does not make sense to me that that I would have to disclose these

lawsuits unless Longaberger had been found guilty. Otherwise, Longaberger and I are put at an unfair advantage even though we have done **nothing** wrong!

There are so many other reasons I feel this rule would hurt the direct sales industry, but the proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. Since we have no territories and this information is private, it would not be the most accurate list. I am always glad to provide references, but in this day of identity theft, I am extremely uncomfortable giving out any personal information of individuals, especially without their approval, to strangers. In order to get the list of the 10 prior purchasers, some that are your customers and some of other consultants, you need to contact Longaberger headquarters, wait for the list and the end result is that the information shared, as I understand it, would be giving away your own private information – of your customers that you worked so hard to build relationships with. This is like Nordstrom's sharing their customer list with Macy's.

I also think the following sentence required by the proposed rule will prevent many people from wanting to sign as a salesperson – "If you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers." People are very concerned about their privacy and identity theft. They will be reluctant to share their personal information with individuals they may have never met.

I appreciate the work that the FTC does to protect consumers, yet, I believe this proposed new rule has many unintended consequences and there have to be and are less burdensome alternatives available to achieving your goals. And if a company is willing to refund 100% of the business opportunity kit within the first year, why do they need to be included in this proposed rule. That one-year warranty was the main reason I signed with Longaberger. I had the confidence to know that I would not be out anything with this warranty.

Thank you for your time in considering my comments.

Respectfully,
Denise Swyers
Independent Longaberger National Sales Leader