

Susan Samuels

July 3, 2006

Dear Sir or Madam:

I am writing this letter because I am concerned about the proposed Business Opportunity Rule R511993. I believe that in its present form, it could prevent me from continuing as a Photomax Distributor. 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 proposed rule will make it very difficult, if not impossible, for me to sell Photomax products and services. My son is in the Marines and look forward to being able to visit him and his family without the time restraints involved with a regular job and with less worry from the money standpoint.

I have only been a Photomax Distributor for about 5 months. I have been successful with direct sales in the past and immediately saw this as a way to generate a substantial income without having to drive a long distance to a "job". And with gas prices through the roof, that is really an important factor for many of us.

One of the most confusing and burdensome sections of the proposed rule is the seven-day waiting period to enroll new distributors. The Photomax sales kit can cost as little as \$550.00. People buy TV.s, cars and other items that cost much more and they do not have to wait seven days. This waiting period gives the impression that there might be something wrong with the company or the compensation plan. I also think the seven-day waiting period is unnecessary, because NSE already has a 90% buy back policy for all products including sales kits purchased by a distributor within the last twelve months. Under this waiting period requirement, I will need to keep very detailed records when I first speak to someone about Photomax NSE and will then need to send in many reports to my company headquarters.

The proposed rule also calls for the release of **any** information regarding lawsuits involving misrepresentation, or unfair or deceptive practices. It does not matter if the company was found innocent. Today, anyone or any company can be sued for almost anything. It does not make sense to me that I would have to disclose these lawsuits unless Photomax NSE is found guilty. Otherwise Photomax and I are put at an unfair advantage even though Photomax has done **nothing** wrong.

Finally, the proposed rule requires the disclosure of a minimum of 10 prior purchaser nearest to the prospective purchaser. I am glad to provide references, but in this day of identity theft, I am very uncomfortable giving out the personal information of individuals (without their approval) to strangers. Also, giving away this information could damage the business relationship of the references who may be involved in other companies or businesses including those of competitors. In order to get the list of the 10 prior purchasers, I will need to send the address of the prospective purchaser to Photomax

NSE headquarters and then wait for the list. I also think the following sentence required by the proposed rule will prevent many people from wanting to sign up 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. (I myself have been a victim). They will and should be reluctant to share their personal information with individuals that 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 are less burdensome alternatives available to achieving you goals.

Respectfully,

Susan Samuels