

My wife and I have been Independent Business Owners since 1989 and have experienced a level of success that has provided us many opportunities, including providing a stay-at-home mom for our two daughters. While we have built our business in recent years at a moderate pace, we have recently accelerated our activity to take advantage of recent trends and plan on replacing my executive management income within the next two years.

The Quixtar business fits into our lifestyle well, as it has allowed us to build at our pace as other demands came into our lives. It is our business, and our success is directly tied to performance. Besides the additional income, the personal development program we have been involved with has been instrumental in my occupation as well, having been cited in several of my employer's performance evaluations.

When we were registered, we were provided with materials to review and encouraged to attend an event in which we could meet other people that would be directly involved in mentoring us in the development of our own independent business. It is the same recommendation we make to others we present the business opportunity to. I also emphasize that ours is not a "get-rich-quick" program – and that the business itself does not work – you do. There is a lot of "lottery" mentality in our culture today, and I have always found that people need to know that effort is required to attain anything that is worthwhile. Our business development team has a pack of specifically selected materials to leave with a person after viewing the business plan, and recommend that they review the materials and make a list of questions to be reviewed in a follow-up meeting.

The requirement of a seven-day waiting period would result in many prospects not getting a good start in the operation of their business and needlessly delay the opportunity for them to begin generating business. If you opened a storefront or e-commerce site and then told your clients you had to wait a week before you could sell them anything – how successful could that business possibly be in the long-term? How long would you stay with it? The seven-day waiting period would substantially impose unfair restraint of trade to independent business owners.

In our business, Quixtar provides a fantastic money-back guarantee – which should be required of more retail businesses. All anyone needs to do is return the container for money back, including shipping and handling.

The requirement to provide references would not provide a level playing field for all independent business owners. If I take the time to explain the business plan, loan my materials, take time away from my other business partners and my family to review questions and develop a strategic plan for launching their business – the prospect could decide to register with a different business development team. The other thing is perhaps other business owners are not as active, have different business building methods or focus. Also, as an active business owner, I would not want my personal information given out by someone I do not know to someone I do not know. That would be a blatant violation of my right to privacy. I do business only with the people I want to do business with. That is one of the benefits to owning my own independent business.

Our business development team meets bi-weekly, as well as monthly in a larger event setting. These gatherings are specifically designed for prospective and new business owners to meet the business development team – that would be specifically engaged in assisting them in building their own independent business. Everyone's best interest is being served and prospective business owners can continue to attend in order to get all the information they need to make a well-informed decision if business ownership is right for them.

The requirement to provide a "litigation list". There are no other businesses that I know of having to provide such disclosure. Having been in the property & casualty insurance business for 20 years, what if each insurance agent had to provide every suit ever filed against a carrier, senior management of the carrier, the agency, or the insurance producer? Even a flagship carrier such as State Farm Insurance would have volumes of suits – many of them baseless. Does this mean it is a bad company? Of course not.

The requirement for specific earnings disclosures – any example provided is an illustration and not a guarantee of success. We provide documents showing the average income for active business owners and the average incomes for each level that can be attained in the business as provided by Quixtar. When it comes to my own finances – that is a lot like underwear size – it is a personal matter. I do not share my paycheck information with my neighbor, nor do I share my business income with prospective business owners. First, I tell prospects my income is satisfactory to me for the effort put forth, again reinforcing the effort is what determines one's income in this or any business. I do give examples of how we have made changes in our lifestyle due to the business such as vacations and the value of time spent with our children. It would be inappropriate to share my finances with a prospect as they may not be willing to put forth the effort to generate the same level of income.

I do want to make sure that consumers have all the information they need to make a good decision about participating in a business opportunity. That's exactly why we already provide prospective business owners with extensive information before they register. However, I end up investing more of my time and money in helping a new business owner get started than they are willing to commit in the beginning.

Uniform, industry-wide disclosure requirements would also help shut down bogus business opportunities that may try to mimic legitimate direct selling opportunities like Quixtar. The current proposed rule unduly penalizes independent business owners and other honest entrepreneurs. The original FTC proposal contains several requirements that would impose crippling burdens on independent business owners without doing anything to prevent deception. The federal government should stay out of micro-managing our independent business while preventing deceptive practices by less reputable companies.