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**From:**

**Sent:** Tuesday, October 13, 2009 8:24 AM

**To:**

**Subject:** Request to participate and request for an extension

Re: TSR – Debt Relief Rulemaking Forum – Request to Participate, R411001 Prior to submitting a written response to the NPRM as required for participation in the public forum, please allow this letter to serve as a request by Credit Solutions of America to participate in the November 4, 2009 public forum regarding the above-referenced rule (the “Request”) and Notice of Public Rulemaking regarding the same (“NPRM”). **As a leader in the debt settlement industry, we respectfully request that our colleague and legal advisor, Professor Derek Witte be allowed to speak and participate in the Forum, presently scheduled for November 4, 2009.** Professor Witte has become a close advisor to our company, and has done an extensive review of our company data and written NPRM as well. As a panelist who can talk about the companies who provide debt settlement, he is also an engaging speaker. Before joining Cooley Law School, Witte’s previous experience in nationwide consumer fraud cases, trade secret disputes, and Uniform Commercial Code litigation has proven invaluable as Professor Witte has become one of the leading experts in the current arena of pending legislation, as well as debt management regulation needs and solutions at both the state and federal levels. At John Marshall, where he graduated third out of 225 graduates, Witte was the Lead Articles Editor for The John Marshall Law Review and was a team member for Moot court and Trial Advocacy. Professor Witte was also on the Willem C. Vis International Arbitration Competition Moot Court Team in Vienna, Austria. He later served as John Marshall’s Trial Advocacy Coach for the Willem C. Vis International Arbitration Competition in 2003 and 2004. He was a PILI Fellow at the University of Chicago Law School’s MacArthur Justice Center in 2002 and an extern for the Hon. Robert W. Gettleman, U.S. District Court for the Northern District of Illinois in 2001. Credit Solutions will submit a written response to the NPRM as required for participation in the public forum, and we appreciate the extension until October 26, 2009, and will respond in a timely fashion under the new deadline. We can all agree that consumers in today’s economy desperately need regulated debt-relief options. The debt settlement industry has its critics, but it also has its share of ethical, legitimate players providing financial relief to tens of thousands of American families. A number of countries are ahead of the U.S. in the consumer debt arena and offer debt settlement as a regulated, ethical alternative to bankruptcy. **Therefore, we would like to request an additional extension of the comment period for 120 days and a corresponding postponement of the November 4, 2009 public forum date.** Credit Solutions respectfully suggests that additional time for consideration of the important consumer issues at hand is appropriate and will be beneficial to all parties involved to be able to make true, factual decisions that will best benefit consumers and specifically address the lead generation companies whose radio and TV ads are giving our industry a bad name. In conclusion, we appreciate the Commission’s consideration of our Request for a 120 day extension. We are honored to assist the Commission in developing a final rule in this matter. We believe consumer protection is of utmost importance, and believe that we can come to a consensus that still allows the ethical companies who offer help and relief to thousands of families around the country a much needed alternative to bankruptcy. Sincerely, Doug Van Arsdale CEO Credit Solutions

10/13/2009



Office of the Secretary

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

October 22, 2009

Doug Van Arsdale, CEO  
Credit Solutions of America  
Park Central - 12700 Park Central Drive  
21<sup>st</sup> Floor  
Dallas, TX 75251

Dear Mr. Van Arsdale:

Thank you for your submission to the Federal Trade Commission regarding the proposed amendments to the Telemarketing Sales Rule covering debt relief services. You request that the Commission extend the period for public comment on the proposed rule by 120 days to provide commentors with additional time to consider and prepare responses regarding the legal and factual issues discussed in the Notice of Proposed Rulemaking ("NPRM") the Commission announced on July 30, 2009.<sup>1</sup> You also state that industry members require more time to collect and analyze data about the debt relief industry.

The proposed rule involves important issues, and the Commission has thus far received more than 150 comments, including some comments from industry members. As you know, in response to earlier requests, the Commission has already extended the public comment period by 15 days, until Monday, October 26, 2009, thereby allowing additional time for the public to submit their comments without causing undue delay in the rulemaking proceeding.<sup>2</sup> In making that determination, the Commission expressly determined that a 120-day extension was "unnecessary to ensure that interested parties have an adequate opportunity to prepare and

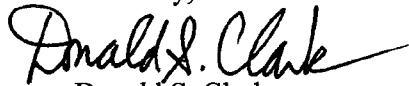
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<sup>1</sup> See *FTC Seeks Public Comment on Proposed Rules to Protect Consumers of Debt Relief Services* (July 30, 2009), available at <http://www.ftc.gov/opa/2009/07/tsr.shtm>; *Federal Trade Commission: Telemarketing Sales Rule: Notice of Proposed Rulemaking and Announcement of Public Forum*, 74 Fed. Reg. 41988 (August 19, 2009).

<sup>2</sup> *Federal Trade Commission: Telemarketing Sales Rule: Extension of Comment Period in the Notice of Proposed Rulemaking*, 74 Fed. Reg. 52914 (October 15, 2009).

submit comments and would cause undue delay. . . .,” and noted that the November 4, 2009 public forum would provide “another opportunity to provide information to the Commission.”<sup>3</sup> With respect to the data issue you have raised, I would also note that the Commission has been studying and publicly requesting information about the debt relief industry since June 2008.<sup>4</sup>

Sincerely,



Donald S. Clark

Secretary of the Commission

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<sup>3</sup> *Id.*

<sup>4</sup> *See, e.g.,* FTC Press Release, *FTC to Hold Public Workshop to Examine Debt Settlement Industry; Agency Seeks Comments, Original Papers, and Participation* (June 2008) (requesting comments for public workshop on debt relief including “any original research, surveys, and academic papers”).