

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

H.G. KUYKENDALL, JR.,
DIVERSIFIED MARKETING SERVICE CORP.,
H.G. KUYKENDALL, SR.,
C.H. KUYKENDALL,
NATIONAL MARKETING SERVICE, INC.,
NPC CORPORATION OF THE MIDWEST, INC., and
MAGAZINE CLUB BILLING SERVICE, INC.,

Defendants.

CIV-96-388-M

**PLAINTIFF'S MOTION TO
SHOW CAUSE WHY
DEFENDANTS SHOULD
NOT BEe4Sb8e8 J
M**

laws regarding the ability to cancel telemarketing “contracts,” threatening consumers’ credit ratings, and the like. These practices violate the FTC Act, the Telemarketing Sales Rule (the “TSR”), and, of course, the PI itself and have resulted in millions of dollars of consumer injury.

Each of defendants’ subscription “agreements” entered into since the PI is tainted by defendants’ contempt. Accordingly, the FTC seeks an award of consumer redress commensurate with the total payments consumers made to defendants since they regained control of the businesses, less refunds defendants have made to consumers. The Commission also requests that the Court modify the PI to ban defendants from engaging in any future telemarketing until they can show that they can comply with the PI. Finally, the Commission moves the Court to modify the PI to allow