

**UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION**

In the Matter of

MISSOURI BOARD OF EMBALMERS AND
FUNERAL DIRECTORS

Docket No. _____

AGREEMENT CONTAINING CONSENT ORDER

The Federal Trade Commission (“Commission”), having initiated an investigation of certain acts and practices of the Missouri Board of Embalmers and Funeral Directors (“Respondent” or “the Board”), and it now appearing that the Board is willing to enter into an Agreement Containing Consent Order (“Consent Agreement”) to cease and desist from certain acts and practices, and providing for other relief with respect to such practices:

IT IS HEREBY AGREED by and between Respondent, by its duly authorized officers and attorneys, and counsel for the Commission that:

1. Respondent Missouri Board of Embalmers and Funeral Directors is an agency that has authority to license and regulate those persons in the businesses of embalming and funeral directing in Missouri and is organized, exists, and transacts business under and by virtue of the laws of the State of Missouri, with its principle office and place of business located at 3605 Missouri Boulevard, Jefferson City, Missouri, 65102-0423.
2. Respondent admits all the jurisdictional facts set forth in the draft Complaint here attached.
3. Respondent waives:
 - (a) any further procedural steps;
 - (b) the requirement that the Commission’s Decision and Order, here attached and made a part hereof, contain a statement of findings of fact and conclusions of law;
 - (c) all rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered pursuant to this Consent Agreement; and
 - (d) any claim under the Equal Access to Justice Act.

4. This Consent Agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this Consent Agreement is accepted by the Commission it, together with the draft of Complaint contemplated thereby, will be placed on the public record for a period of thirty (30) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this Consent Agreement and so notify Proposed Respondent, in which event it will take such action as it may consider appropriate, or issue and serve its Complaint (in such form as the circumstances may require) and Decision and Order, in disposition of the proceeding.

5. This Consent Agreement is for settlement purposes only

Signed this ____ day of _____ 2006:

Missouri Board of Embalmers and
Funeral Directors

By:

Kenneth McGhee
Chairman

Sharon K. Euler
Assistant Attorney General
Missouri Bar No. 42950
Counsel for Missouri Board of Embalmers
and Funeral Directors

Jane Rackers
Assistant Attorney General
Missouri Bar No. Xxxxx
Counsel for Missouri Board of Embalmers
and Funeral Directors

Signed this ____ day of _____ 2006:

Federal Trade Commission
Bureau of Competition
By:

Mark D.S. Peterson
Grace Kwon
Joel Christie
Attorneys
Bureau of Competition

Approved:

Sean Gates
Deputy Assistant Director
Bureau of Competition

Geoffrey Oliver
Assistant Director
Bureau of Competition

Kenneth L. Glazer
Deputy Director
Bureau of Competition

Jeffrey Schmidt
Director
Bureau of Competition

