

organizers, senior executive officers, directors, or principal shareholders. The reports are also used to allow or disapprove proposed acquisitions.

A task force of the Federal Financial Institutions Examination Council has adapted, reformatted, and retitled the three reports, pursuant to the Riegle Community Development and Regulatory Improvement Act of 1994. Comments were solicited in the Federal Register on August 13, 1996 (61 FR 42085) and on November 29, 1996 (61 FR 60748). No comments were received on any of the forms.

Board of Governors of the Federal Reserve System, January 23, 1997.

William W. Wiles

Secretary of the Board.

[FR Doc. 97-2159 Filed 1-28-97; 8:45 am]

BILLING CODE 6210-01-F

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## FEDERAL TRADE COMMISSION

### Study to Assess the Effectiveness of Commission Divestiture Orders Information Collection Requirement

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice of application to The Office of Management and Budget (OMB) under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) for clearance of a telephone survey, requests for documents, and a questionnaire in conjunction with a study of Commission divestiture orders in merger cases.

**SUMMARY:** The application for OMB review concerns information collection to be undertaken in a study to assess the effectiveness of Commission divestiture orders in merger cases. The study will assist the Commission in evaluating the effectiveness of its merger enforcement actions. Specifically, the study will inform the Commission about whether to modify its current divestiture procedures so as to make divestitures more timely and effective. The study includes some collection of information from the public by means of telephone interviews, requests for documents, and a limited questionnaire. All interviews will be conducted on a voluntary basis. All information will be collected on a voluntary basis.

Staff will study a total of 49 divestitures arising out of 36 orders. Staff have already contacted nine buyers. Staff, thus, will contact another 40 buyers (plus any subsequent buyers of the divested assets), 36 respondents, and 147 third-parties (on average, three per divestiture), for a total of 223 telephone interviews. Each interview should take about one hour and 30

minutes to complete, for a total burden estimate of approximately 335 hours.

After the telephone interviews, the buyers of divested assets and the respondents will be asked to submit financial documents for a five-year period beginning the year before the divestiture occurred. Only documents prepared in the ordinary course of business will be requested. To the extent that no such financial documents exist, staff will not request that such documents be prepared. Because only documents already in existence will be requested, the anticipated burden of producing these documents will be minimal, approximately two hours, per participant, for a total of 170 hours ( $49 + 36 = 85 \times 2 = 170$ ).

Staff will also ask that the respondents and buyers complete a two-question chart that will request sales in dollars and units of the product that was the subject of the Commission's initial concern in the case over a five-year period beginning the year before the divestiture. Staff estimate that the burden on each participant to provide this information will be 4 hours, for a total of 392 hours ( $49 \text{ buyers} + 36 \text{ respondents asked about 49 divested products} = 98 \times 4 = 392$ ). The total cumulative burden of the document production will be 562 hours ( $392 + 170$ ). The estimated total burden for the entire study is therefore calculated to be 897 hours ( $335 + 562$ ), which has been rounded to 1000 hours to allow for small additions such as subsequent buyers of divested assets.

**DATES:** Comments on the proposed study must be submitted on or before February 28, 1997.

**ADDRESSES:** Send comments both to the Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3228, Washington, D.C. 20503, ATN: Desk Officer of the Federal Trade Commission and to the Federal Trade Commission, Compliance Division, ATN: Kenneth Davidson, Room S 2122, N.W., Washington, D.C. 20508.

**FOR FURTHER INFORMATION CONTACT:**

Kenneth Davidson, Compliance Division, Bureau of Competition, Federal Trade Commission, Washington, D.C. 20580 (202) 326-2863.

By direction of the Commission.

Donald S. Clark,

Secretary.

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[File No. 932-3019]

### Pre-Paid Legal Services, Inc.; Analysis to Aid Public Comment

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed Consent Agreement.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would require, among other things, Pre-Paid to pay \$165 to any consumer who purchased certain living trusts and who has not already received a refund and does not live in a state with which Pre-Paid has already settled. In addition, Pre-Paid, would be prohibited from making misrepresentations about living trusts and would be required to make certain disclosures with regard to legal challenges that can be made against living trusts; the possibility of probate for certain estates regardless of whether living trusts are used; and the transfer of consumers' assets into the trusts. The agreement settles allegations that the Pre-Paid made numerous false statements about the benefits and appropriateness of living trusts, in general, and about living trusts it sold, in particular.

**DATES:** Comments must be received on or before March 31, 1997.

**ADDRESSES:** Comments should be directed to: FTC/Office of the Secretary, Room 159, 6th St. and Pa. Ave., N.W., Washington, D.C. 20580.

**FOR FURTHER INFORMATION CONTACT:**

Janice Charter, Federal Trade Commission, Denver Regional Office, 1961 Stout Street, Suite 1523, Denver, CO 80294. (303) 844-2272. Elizabeth Palmquist, Federal Trade Commission, Denver Regional Office, 1961 Stout Street, Suite 1523, Denver, CO 80294. (303) 844-2272.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46, and Section 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the accompanying complaint. An electronic copy of the full text of the consent agreement package can be obtained from the

Commission Actions section of the FTC Home Page (for January 16, 1997), on the World Wide Web, at "http://www.ftc.gov/os/actions/htm." A paper copy can be obtained from the FTC Public Reference Room, Room H-130, Sixth Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580, either in person or by calling (202) 326-3627. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with Section 4.9(b)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

#### Analysis of Proposed Consent Order to Aid Public Comment

The Federal Trade Commission has agreed to accept, subject to final approval, a proposed consent order settling charges that Pre-Paid Legal Services, Inc., violated Section 5 of the Federal Trade Commission Act.

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

This matter concerns the sale of living trusts to senior citizens through membership in the American Association for Senior Citizens ("AASC"). The respondent covered by the proposed order is Pre-Paid Legal Services, Inc., the company responsible for furnishing to and preparing the living trusts for AASC.

The complaint alleges that the respondent violated Section 5 of the Federal Trade Commission Act by making numerous misrepresentations about the advantages of living trusts over other forms of estate planning. Specifically, the complaint alleges that respondent has misrepresented that (1) the use of a living trust avoids all administrative costs; (2) at death, a living trust ensures that assets are distributed immediately or almost immediately; (3) a living trust cannot be challenged; (4) living trusts are prepared by local attorneys; (5) a living trust protects against catastrophic medical costs; (6) a living trust is the appropriate estate planning device for every consumer; and (7) there are no disadvantages to a living trust.

The proposed consent order contains provisions which are designed to remedy the alleged violations and to prevent the respondent from engaging in

similar acts and practices in the future. The proposed order would prohibit the respondent from making the misrepresentations alleged in the complaint and set forth above. Additionally, the order would require the respondent to disclose to prospective purchasers that living trusts may be challenged on similar grounds as wills and that they may not be appropriate in all instances.

Under the order, the respondent also would be required to provide four affirmative disclosures in situations where the statements would be true. (1) Some states have created a mechanism for "informal probate" of an estate if the estate meets certain criteria, which significantly reduces the time involved in probate. This disclosure would be required in states where informal probate is available. (2) If the transfer of an individual's assets into the living trust is not included in the price of creating the living trust, that fact must be disclosed. (3) If it is the sole responsibility of the purchaser of the living trust to transfer assets into the trust, that fact must be disclosed. (4) In some states, but not in others, creditors have a longer period of time to file claims against a living trust than against a probated estate. This fact would have to be disclosed in such states.

The proposed order would require the respondent to distribute the proposed order to its officers, agents, and all personnel who participate in any way with respondent's sales activities relating to living trusts. Additionally, the order would require the respondent to notify the Commission of any changes in its corporate structure and to retain for three years all materials that it relies upon in making representations covered by the order. Finally, the respondent is required to file one or more compliance reports detailing its compliance with the order.

The proposed order also requires the respondent to offer partial refunds to any AASC member who has not previously received a refund from either the respondent or AASC.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order, nor to modify in any way their terms. The proposed consent order has been entered into for settlement purposes only and does not constitute an admission by the respondent that the

law has been violated as alleged in the complaint.

Donald S. Clark,  
*Secretary.*

[FR Doc. 97-2206 Filed 1-28-97; 8:45 am]  
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[File No. 962-3150]

#### Uno Restaurant Corporation, et al.; Pizzeria Uno Corporation; Uno Restaurants, Inc.; Analysis to Aid Public Comment

**AGENCY:** Federal Trade Commission.  
**ACTION:** Proposed consent agreement.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would prohibit, among other things, the nationwide pizza restaurant chain from misrepresenting the existence or amount of fat or any other nutrient or substance in pizzas or other food products containing a baked crust. The agreement settles allegations that advertising touting the "Thinzettas" line of thin crust pizzas as "low fat" was false and misleading.

**DATES:** Comments must be received on or before March 31, 1997.

**ADDRESSES:** Comments should be directed to: FTC/Office of the Secretary, Room 159, 6th St. and Pa. Ave., N.W., Washington, D.C. 20580.

**FOR FURTHER INFORMATION CONTACT:** Phoebe Morse, Federal Trade Commission, Boston Regional Office, 101 Merrimac St., Suite 810, Boston, MA 02114-4719. (617) 424-5960. John T. Dugan, Federal Trade Commission, Boston Regional Office, 101 Merrimac St., Suite 810, Boston, MA 02114-4719. (617) 424-5960.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46, and § 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the accompanying complaint. An electronic copy of the full text of the consent agreement package can be obtained from the Commission Actions section of the FTC Home Page (for January 22, 1997),