

Consumers who pressed 1 was transferred to a live CCL telemarketer.¹ The telemarketer told consumers that the call was not for a sales pitch but rather to provide information regarding a cruise they were advertising.

CCL's sales pitch along with other information concerning the company's role in robotic campaigns and its telemarketing practices.³ Although CCL filed a petition for summary judgment, the court's decision was affirmed.

Further review of the staff that CCL had withheld

Supplemental productions made it apparent to FTC staff

¹ CCL's website, www.cclcruises.com, promotes marketing and selling cruises.

Resolution? Caribbean Cruise

Telemarketers, Sellers, Suppliers, or Other Affiliated Parties. No. 0123145 (R-1)

...sellers, or others, engaging in: (1) unfair or deceptive acts or practices in violation of 16 C.F.R. § 312.2 (as amended); (2) deceptive telemarketing acts in violation of 16 C.F.R. pt. 310 (as amended); and (3) telemarketing sales practices in violation of 16 C.F.R. pt. 310 (as amended), including but not limited to the following:

(1) to determine whether unnamed telemarketers assisting them have engaged or are engaging in deceptive acts or practices in or affecting interstate commerce in violation of 16 C.F.R. § 312.2 (as amended); and/or (2) to determine whether unnamed telemarketers assisting them have engaged or are engaging in deceptive acts or practices in violation of 16 C.F.R. pt. 310 (as amended), including but not limited to the following:

Enclosure.

information about its telemarketing lead generators.⁶ Accordingly, on March 22, 2013, the Commission issued a follow-up CID specifically seeking such materials.⁷ In particular, the CID seeks:

D-2 All documents that relate to any entity that used or uses phone calls



II. ANALYSIS

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CCL also argues that Specification D-1 should be quashed because the request is over-inclusive to the extent that it demands *all* documents regarding the particular named entities or

