



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Office of the Secretary

April 29, 2014

James F. Elwell
State of California

Re: *In the Matter of Service Corporation International and Stewart Enterprises, Inc.*
Docket No. C-4423, FTC File No. 131-0163

Dear Mr. Elwell,

Thank you for your comment regarding the divestiture of the J.T. Oswald funeral home in Los Angeles, California. As we understand your comment, you have concerns that the proposed Consent Order does not require divestiture of the name "Funeraria del Angel" ("FDA") and that SCI would retain all rights to use the FDA name. Specifically, you stated that SCI might be able to add the FDA name to other SCI-owned funeral homes in the area, which, in turn, would interfere with J.T. Oswald's ability to continue operating. You asked that any proposed purchaser of the J.T. Oswald funeral home be given the opportunity to operate under the Funeraria del Angel name, while restricting SCI from using the name within a 15

the FDA brand within a 15-mile radius of J.T. Oswald. SCI will be required, however, to divest the J.T. Oswald customer list to the purchaser of the facility to help ensure the facility's continued success.

After considering the entire evidentiary record, including all submitted comments, the Commission has determined that the public interest would best be served by issuing the Decision and Order as final without modification. A copy of the final Decision and Order and other relevant material are available from the Commission's website at <http://www.ftc.gov>.

It helps the Commission's analysis to hear from a variety of sources in its work on antitrust and consumer protection issues, and we appreciate your interest in this matter.

By direction of the Commission, Commissioner McSweeney not participating.

Donald S. Clark
Secretary