

**ANALYSIS OF AGREEMENT CONTAINING
CONSENT ORDER TO AID PUBLIC COMMENT**
*In the Matter of LVTR LLC, a limited liability company, doing business as
Las Vegas Trail Riding, and Tomi A. Truax*
File No. 182 3098

The Federal Trade Commission (“Commission”) has accepted, subject to final approval, an agreement containing a consent order as to LVTR LLC and Tomi A. Truax (“respondents”).

The proposed consent order (“order”) has been placed on the public record for 30 days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After 30 days, the Commission will again review the order and the comments received, and will decide whether it should withdraw the order or make it final.

This matter involves the respondents’ use of non-disparagement provisions in consumer form contracts in the course of selling their recreational horseback riding services. The complaint alleges that the respondents violated Section 2(c) of the Consumer Review Fairness Act (“CRFA”) by offering to consumers form contracts that contained non-disparagement provisions made void by Section 2(b) of the CRFA. The CRFA defines a form contract as a contract with standardized terms, used in the course of selling or leasing goods or services, and imposed on an individual without a meaningful opportunity for such individual to negotiate the standardized terms.

The order includes injunctive relief that prohibits these alleged violations and fences in similar and related conduct involving the use of contract terms that prohibit, restrict, penalize, or transfer rights in consumer reviews or evaluation of the respondents, their goods, or their services. The CRFA authorizes a respondent

to enter into a contract, or offering to any customer a renewal
contract with a term; requiring that a customer accept such a term as
a condition of their obligations under contracts entered into
with the respondent; or requiring that the non-
respondent cannot be enforced, and that
the respondent can publish their honest reviews

acknowledgments that relevant

personnel received the order.

Part IV requires the respondents to file compliance reports with the Commission, and