

DISSENTING STATEMENT OF COMMISSIONER ROSCOE B. STAREK, III
IN THE MATTER OF
NEW BALANCE ATHLETIC SHOES, INC., DOCKET NO. 9268

I continue to object to the approach that the majority of the Commission has elected in this litigation. The settlement is hardly surprising in light of the Commission's decision to drop the most important allegation in this matter -- involving unqualified "Made in USA" claims for products assembled in the United States from foreign and domestic components -- in favor of an eviscerated complaint and notice order addressing only narrow claims about exported footwear and footwear made wholly abroad. For the reasons stated in my dissent from the Commission's decision to narrow the complaint and notice order, I again dissent. *See New Balance Athletic Shoes, Inc.*, Docket No. 9268 (Dissenting Statement of Commissioner Roscoe B. Starek, III).