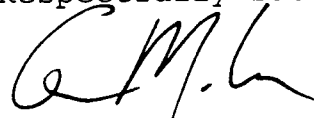




supported by that record. Since there are no such gaps that an administrative proceeding on the merits could fill, it is unclear what purpose such a proceeding might serve.

Any order against respondents that might result from this administrative proceeding would be subject to review in the Eighth Circuit. In light of the nature of that Court's prior decision in this case, we think it highly unlikely that the administrative record that could be developed here would be sufficient to persuade the Eighth Circuit to uphold an order against respondents. Complaint counsel therefore believe that further administrative proceedings would not be in the public interest.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "O.M. Voss", written in a cursive style.

Oscar M. Voss

Counsel Supporting the  
Complaint

December 10, 1999

CERTIFICATE OF SERVICE

I, the undersigned, certify that I caused a true and correct copy of the attached Complaint Counsel's Response to Order to Show Cause to be served by facsimile and first class mail on Charles James, Esq. of Jones, Day, Reavis & Pogue, attorney for respondents, on this 10th day of December, 1999.



---

Oscar M. Voss