UNITED STATES OF AMERICA BEFORE FEDERAL TRADE COMMISSION

)	
In the Matter of)	
)	
ROBERT SERVISS,)	DOCKET NO. C-3669
individually and doing business)	
as EXCEL COMMUNICATIONS)	
)	

COMPLAINT

The Federal Trade Commission, having reason to believe that Robert Serviss, individually and doing business as Excel Communications ("respondent"), has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, alleges:

PARAGRAPH ONE: Respondent Robert Serviss is an individual doing business as Excel Communications. His principal office or place of business is located at 2169 Summer Street, Suite 115, Stamford, Connecticut 06095.

PARAGRAPH TWO: Respondent is engaged in the advertising, promotion, offering for sale, sale, and distribution of the "ON-LINE Profits Made Easy" business opportunity to the public.

PARAGRAPH THREE: The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act.

PARAGRAPH FOUR: Respondent has disseminated or has caused to be disseminated advertisements, including advertisements through the Internet, for the "ON-LINE Profits Made Easy" business opportunity. The advertisements include, but are not necessarily limited to, the attached Exhibit 1, which states, in part:

YOU CAN MAKE \$1000 A DAY WORKING FROM HOME!

* * *

This opportunity is so fantastic, you can make \$1000 a day working from home in an easy, pleasant business.

* * *

Consider this: If you make just one \$25 sale per day (7 days a week) on 145 computer Bulletin Board Systems (out of 70,000) -- you are earning over \$100,000 a month! Can you make just one \$25 sale a day on 145 B.B.S.s? If so, you can earn \$100,000 a month! Yes it can be done!

PARAGRAPH FIVE: Through the use of the statements contained in the advertisements referred to in PARAGRAPH FOUR, including but not necessarily limited to the advertisement attached as Exhibit 1, respondent has represented, directly or by implication, that the amount of money represented by these statements is representative, or typical, of what individuals who purchase the "ON-LINE Profits Made Easy" business opportunity will generally achieve.

PARAGRAPH SIX: In truth and in fact, the amount of money represented by these statements is not representative, or typical, of what individuals who purchase the "ON-LINE Profits Made Easy" business opportunity will generally achieve. Therefore, the representation set forth in PARAGRAPH FIVE was, and is, false and misleading.

PARAGRAPH SEVEN: Through the use of the statements contained in the advertisements referred to in PARAGRAPH FOUR, including but not necessarily limited to the advertisement attached as Exhibit 1, respondent has represented, directly or by implication, that at the time he made the representation set forth in PARAGRAPH FIVE, respondent possessed and relied upon a reasonable basis that substantiated such representation.

PARAGRAPH EIGHT: In truth and in fact, at the time he made the representation set forth in PARAGRAPH FIVE, respondent did not possess and rely upon a reasonable basis that substantiated such representation. Therefore, the representation set forth in PARAGRAPH SEVEN was, and is, false and misleading.

PARAGRAPH NINE: The acts and practices of respondent as alleged in this complaint constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal '	Trade Commission	this 12th day	of June, 1996	5, has issued tl	nis
complaint against respondent.					

By the Commission.

Donald S. Clark Secretary

SEAL: