

REVIEWING THE Franchise Rule



AN FTC WORKSHOP

November 10, 2020

SPEAKER BIOS

Introductory Remarks

Andrew Smith is Director of the FTC's Bureau of Consumer Protection. He came to the FTC from the law firm of Covington & Burling, where he co-chaired the financial services practice group. Earlier in his career, Mr. Smith was a staff attorney at the FTC, where he led the agency's efforts to make several rules under the Fair Credit Reporting Act. Mr. Smith has written extensively on consumer protection and financial services issues, served as the Chair of the American Bar Association's Consumer Financial Services Committee, and is a Fellow of the American College of Consumer Financial Services Lawyers and the American Bar Foundation. He earned a bachelor's degree in history from Williams College, and a J.D. from William & Mary Law School, where he served as Professional Articles Editor of the William & Mary Law Review.

Opening Address

Hon. Kevin Hern was born on an Air Force Base and gained an early appreciation for the sacrifices that military families make. In high school, he earned an Architectural Drafting Certificate in concurrent Technical enrollment, which he used to work and pay for his Engineering degree. Later in life, he earned his MBA.

Hon. Hern worked as an aerospace engineer, a computer programmer, real estate, and even hog farming before purchasing his first McDonald's Restaurant in 1997. Since then, he built a company that owns 10 McDonald's in the Tulsa, Oklahoma area and employs more than 400 people. He also has part ownership in a manufacturing facility, real estate ventures, three technology companies, and serves on the executive board of a community bank. He served in various leadership positions within the McDonald's system and on the Oklahoma Turnpike Authority before running for Congress.

Hon. Hern was sworn into Congress on November 13th, 2018 serving the remainder of NASA Administrator Jim Bridenstine's term. Hon. Hern and his wife Tammy live in Tulsa and have three children. They are members of the Church at Battle Creek.

Panel 1: Financial Performance Representations: What Should be Disclosed? And Why?

Dale Cantone is an Assistant Attorney General for the State of Maryland and the Deputy Securities Commissioner for the Maryland Securities Division. Mr. Cantone is the chief of the franchise and business opportunity unit of the Maryland Securities Division. In addition, Mr. Cantone serves as Chair

of the Franchise and Business Opportunity Committee/Project Group of the North American Securities Administrators Association, Inc. ("NASAA").

Susan Grueneberg is a partner at the law firm of Cozen O'Connor in Los Angeles and is certified as a specialist in franchise and distribution law by the State Bar of California. Ms. Grueneberg serves as chair of the Industry Advisory Committee to the North American Securities Administrators Association Franchise Project Group and is a past Chair of the American Bar Association Forum on Franchising. She is also a member of the International Franchise Association's Legal/Legislative Committee. She previously served as chair of the California State Bar Franchise and Distribution Law Commission, which oversees the certification of legal specialists in franchise and distribution law in California. Ms. Grueneberg was also a member of the California State Bar Business Law Section Executive Committee, Chair of the California State Bar Franchise Law Committee, and a member of the Board of Governors of the Century City Bar Association. She has written and lectured extensively at programs conducted by the California State Bar, the ABA Forum on Franchising, the International Franchise Association, and California Continuing Education of the Bar. A graduate of UCLA Law School, Ms. Grueneberg also taught at the Chinese University of Hong Kong as a U.S. State Department Fellow and received a National Academy of Sciences Fellowship for post-graduate study in economics at the University of Beijing. Ms. Grueneberg served as the press interpreter for the Chinese National Basketball Teams at the 1984 Olympics. She is co-editor of the ABA publication *The FTC Franchise Rule*.

Justin Klein is a Partner in the New Jersey-based law firm of Marks & Klein, LLP and is considered one of the leading franchise and business attorneys in the United States. He has quarterbacked hundreds of millions of dollars of franchise transactions and has served as lead counsel representing franchisors and franchisees in some of the most prominent franchise litigation matters, amassing hundreds of millions of dollars in settlements or awards. Mr. Klein has also counseled a broad array of start-up concepts and emerging businesses that have been considered some of the fastest growing franchise and business concepts in the United States.

Mr. Klein is recognized as being among the world's leading franchise lawyers by *International Who's Who Legal*, he is ranked as a top-tier franchise lawyer by Chambers USA, he is in the Franchise Times Legal Eagle Hall of Fame, he is designated a Super Lawyer and has received numerous other franchise industry accolades.

Keith Miller founded Franchisee Advocacy Consulting in 2018. He has served as the Director of Public Affairs and Engagement for the American Association of Franchisee and Dealers (AAFD) since October 2019 and as Director of Legislative Affairs for the Fair Franchising Initiative since March 2020. Previously, he was Chairman of the Coalition of Franchisee Associations (CFA) from January 2012 through January 2018 (3 terms). During his term as Chairman, the crowning achievement was the passage of California AB-525 in 2015. CFA was the sponsor of this franchisee protection bill that has been called the most significant franchisee legislation in decades.

Mr. Miller has been active in legislation introduced both federally and in multiple states. This has included being involved with writing the specific language of legislation, organizing franchise owners to lobby on behalf of the legislation, and testifying at hearings, including a United States Senate subcommittee hearing in July 2019. He has also testified at federal agencies, including at a Federal

Trade Commission on Franchise Rule issues and the IRS on a Rule Hearing concerning a change to the discounting of gift taxes on family businesses.

Mr. Miller has been a Subway franchisee since 1988, owning up to 6 stores in Nevada and California, and currently owns 3 stores. With his wife Karen, he received the Subway Franchisees of the Year award at the annual convention in 1997. He served on the North American Association of Subway Franchisees (NAASF) as a Director from 2000-2002 and 2005-2010, and served as NAASF's first President, CEO, and Chair in 2000-2001. He served as a local Chair of the Subway Franchise Owners Advisory Council (SFOAC) from 1991-1999 and was Chairman of the Regional SFOAC Chairs from 1996-1999. Finally, he has served as a board member of the Sacramento advertising fund from 2005-2019, including as its Chair from 2010-2013.

Mr. Miller has a Master of Business Administration degree in Business Management, and Bachelor of Science degrees in Computer Science and Business Administration.

Christine Todaro is an attorney in the FTC's Division of Marketing Practices, Bureau of Consumer Protection. Since joining the FTC in 2009, Ms. Todaro has investigated and litigated cases against individuals and companies engaged in a variety of deceptive and unfair practices, including business opportunity schemes, unsolicited text messaging, and high-tech fraud. In addition, Ms. Todaro is the FTC's Program Coordinator for the Magnuson-Moss Warranty Act, and the FTC's Franchise and Business Opportunity Rules. Ms. Todaro received her J.D. from the University of Cincinnati College of Law and her B.B.A. cum laude from the University of Notre Dame.

Sandy Wall is a transactional franchise attorney with over 35 years of experience and extensive in-house experience. She has counseled and represented clients across a broad spectrum of industries (including restaurants and food service, hotel and service businesses).

Ms. Wall rejoined DLA Piper in 2015 after spending 11 years as Managing Counsel of the Franchise Practice Group of McDonald's Corporation, where she led the team responsible for franchise law compliance matters. Under her leadership, the group was responsible for issuing franchise documents to all franchisees in the US. She also oversaw the transfers of all McDonald's restaurants, including sales between franchisees and the purchase and sale of company-owned restaurants. In addition, she was responsible for the preparation, maintenance and filing of McDonald's franchise disclosure document (FDD). Ms. Wall also has significant international experience. Her team handled franchise documentation in the Middle East and Asia Pacific, as well as certain countries in Latin America. She was an integral part of the team responsible for creating the current form of Multi-Unit Franchise Agreement being used internationally by McDonald's. She has conducted extensive franchise training for lawyers in China.

Ms. Wall also spent over three years as an associate general counsel of Sears, Roebuck & Co., overseeing commercial contracts, vendor agreements, license agreements with third-party contractors as well as putting together several startup franchise programs.

Panel 2: A Discussion of Disclaimers, Waivers, & Questionnaires.

Howard Bundy is a Seattle, Washington attorney who represents franchisees in dispute resolution and also works with franchisors in preparing contracts and disclosures and complying with the FTC Franchise Rule and applicable state laws. He believes that having an intimate understanding of the interests of both franchisors and franchisees is an advantage in representing either.

He is a 1981 graduate of Seattle University School of Law, formerly known as University of Puget Sound Law School, where he served as Lead Articles editor of the law review. Mr. Bundy's practice has focused on franchise law since 1981. He has long advocated for franchisee investor protection in a manner that also maintains a level playing field for franchisors. He has always believed that good franchisors become better franchisors when they no longer need to compete with bad and dishonest franchisors.

In addition to being involved with franchise law at the legislative level, Mr. Bundy was extensively involved in the last FTC Rule Review that culminated in 2007 with what is the current Franchise Rule. Since 1996, he has served on the Advisory Committee to the Franchise Working Group of the North American Securities Administrators Association.

Mr. Bundy is an active member of the American Bar Association Forum on Franchising, having published a number of articles and papers, and having presented at legal education programs. He makes the short list of attorneys who generally advocate for the interest of franchisees.

Amy Cheng concentrates her practice in domestic and international commercial transactions, general corporate, and franchise, licensing and distribution law. She represents franchisors on the structuring and operation of their franchise programs through all phases of domestic and international development. Ms. Cheng has extensive experience in structuring complex franchise, licensing and distribution relationships and in regulatory compliance. Her experience includes advising clients in connection with complex issues arising from the ownership of multiple brands, non-traditional opportunities, system restructuring and brand acquisition.

Ms. Cheng represents clients of all sizes, from emerging to mature companies with multi-national operations. Representative clients include leaders in the restaurant, retail, fitness and home services industries. With her broad range of experience, Ms. Cheng essentially acts as general counsel to many of her clients, collaboratively maturing their businesses from infancy to prominence within their various industries. Ms. Cheng's commercial transactional practice includes counseling clients on mergers and acquisitions, complex commercial relationships, strategic business alliances and joint ventures. Ms. Cheng's unique combination of corporate and franchise experience provides clients with comprehensive legal services to expand their franchise portfolio. Her experience includes representing private equity in acquiring and selling franchise companies of all sizes and in a myriad of industries.

For her work in the field of franchise law, Ms. Cheng has been named a "Legal Eagle" by the Franchise Times, recognized by Who's Who Legal, Leading Lawyers, Chambers and Partners and selected by her peers for inclusion in The Best Lawyers of America®. She was selected as The Best Lawyers' 2014 Chicago Franchise Law "Lawyer of the Year". In 2018, Cheng was recognized as one of Crain's Chicago Notable Women Lawyers.

Ms. Cheng serves as a member of the Franchise Advisory Board for the Illinois Attorney General and is an active member of the International Franchise Association, speaking frequently at the International Franchise Association's Annual Convention and Legal Symposium. She has also served as the Past Chair of the International Franchise Association's Annual Legal Symposium and currently is the Vice Chair of the Supplier Forum Advisory Board. In 2016, the International Franchise Association's Women's Franchise Committee bestowed Ms. Cheng with the Crystal Compass Award. In 2020, Ms. Cheng received the Bonnie LeVine Award from the IFA, an award that recognizes women for being role models by their professional accomplishments and contributions to society. She was also included by *What Franchise* in the 100 Influential Women in Franchising 2020.

Josh Doan is an attorney in the FTC's Division of Marketing Practices, Bureau of Consumer Protection. Before joining the FTC, Mr. Doan was a trial attorney in the Department of Justice's Environment and Natural Resources Division, and a litigation associate at a Washington, DC law firm. Mr. Doan received a B.A. from the College of the Holy Cross and a J.D. from the University of Michigan Law School.

Theresa Leets is the Assistant Chief Counsel of the Securities Regulation Unit of the California Department of Financial Protection and Innovation's Legal Division. She is responsible for supervising the Department's programs under the Corporate Securities Law of 1968 and the Franchise Investment Law. Last year the Department regulated over 1.1 trillion dollars in securities and franchise transactions. The Department processed 36,000 exemption notice filings, 2,600 applications and collected \$17 million dollars in fee revenue.

Ms. Leets speaks frequently on topics related to both franchise and securities law. She is a member of the North American Securities Administrators Association (NASAA) Corporate Finance's Franchise and Business Opportunities Project Group. Ms. Leets is currently serving as a Trustee for the Los Angeles County Bar Association. She is also a licensed California real estate broker with an inactive Mortgage Loan Origination (MLO) endorsement. She is the first franchise regulator to earn a Certified Franchise Executive (CFE) designation from the International Franchise Association (IFA). Ms. Leets received her B.A. degree at the University of California at Santa Barbara and her J.D. degree at the University of California at Davis.

Brandon Moore first entered the Franchise Industry in 2015 by becoming a Dental Fix Rx Franchisee in Virginia. In 2017, after two difficult years of attempting to build his business and conflict with his Franchisor, he was terminated from the Dental Fix Rx Franchise System. As part of this attempt to grow his business and subsequent termination process, Mr. Moore identified numerous deficiencies contained within the Franchise Disclosure Document and brought them to the attention of Regulators with the Virginia State Corporation Commission, while simultaneously defending himself in a Breach of Contract suit brought by Dental Fix Rx. In November of 2019, the Virginia State Corporation Commission entered into a Settlement Agreement with Dental Fix Rx, where they were required to offer contractual rescission to all current and former franchisees within the State of Virginia. As part of this effort, Mr. Moore has spent a considerable amount of time and energy uniting the current and former Dental Fix Rx franchisee community and has spoken to well over 80 franchisees to learn their experience with franchising. He is extremely happy to bring these experiences to the panel to help shed light on various issues within franchising.

Outside of Franchising, Mr. Moore currently works as a Developer for a National Association in the Energy Sector, in the same position he held before becoming a franchisee. Prior to this, Mr. Moore worked as a Systems Analyst in the Business and Financial Management (BFM) Area of the Mine Resistant Ambush Protected Vehicle Joint Program Office (MRAP JPO) located in Quantico, Virginia. He designed and built a program, called the Joint Financial Information Management System (JFIMS) that facilitated the rapid execution of \$50+ Billion in Government Appropriations spread across all branches of the Department of Defense to expedite the delivery of these life-saving vehicles to the warfighters as part of Operation Iraqi Freedom (OIF) and Operation Enduring Freedom (OEF). Mr. Moore was fortunate enough to work with many talented individuals and leaders as part of this effort, and his team received numerous awards for the work they performed. Lastly, after graduating college, he worked for Program Executive Office Soldier (PEO Soldier) out of Fort Belvoir as part of an effort to rapidly supply warfighters at various military bases around the world with necessary protective equipment prior to deploying to theatre.

Lee Plave is a co-founding partner of Plave Koch PLC, an entrepreneurial law firm in Reston, Virginia. He counsels franchisors and distributors, drafts and negotiates agreements for international and domestic transactions, and advises clients on all aspects of franchise and distribution law.

Mr. Plave also works with clients on private equity transactions, the application of emerging technologies to franchise and distribution systems (including data and security policies, social media and networking issues, domain name disputes, and cybersmear sites). He also represents clients before the Federal Trade Commission, where he began his career.

Since 2013, Mr. Plave has served as a Trustee of Clark University. He served as the Director of the International Division of the American Bar Association's Forum on Franchising (2012 to 2014), and currently serves as the Treasury Officer of the International Bar Association Committee on International Franchising.

Mr. Plave was recognized as the global Franchise Lawyer of the Year by London-based Who's Who Legal in 2018, 2019, and in 2020, as ranked by his peers. London-based Chambers & Partners, which publishes an internationally-respected client guide, ranks Mr. Plave as one of the leading franchise lawyers in both its U.S. and Global editions. In 2019, the ABA Forum on Franchising conferred its 2019 "Lewis G. Rudnick Award" on Mr. Plave.

Panel 3: The Pros and Cons of the Current FDD Format.

Dale Cantone is an Assistant Attorney General for the State of Maryland and the Deputy Securities Commissioner for the Maryland Securities Division. Mr. Cantone is the chief of the franchise and business opportunity unit of the Maryland Securities Division. In addition, Mr. Cantone serves as Chair of the Franchise and Business Opportunity Committee/Project Group of the North American Securities Administrators Association, Inc. ("NASAA").

Kimberly Crowell, along with her husband, Angelo, co-founded Kalo Companies in 2009. Their company currently owns and operates 33 Jersey Mike's Subs restaurant franchises with 13 stores

currently in development in Florida, Georgia and Alabama, and employs approximately 300 people. After opening their first Jersey Mike's location in Tallahassee in 2010, they quickly grew to 5 stores within the next three years, even being awarded the honor of 2011 Rookie Franchisees of the Year. In 2018 they were recognized for their Regional Operational Excellence at the Jersey Mike's Subs Franchise Conference and also received the Big Bend Region's Small Business of the Year award as part National Small Business Week. Additionally, they were elected by their fellow franchisees to serve on the National Advisory Council for Jersey Mike's.

Their company has been a strong advocate for the Professional Athlete Franchise Initiative (PAFI), a strategic partnership with the International Franchising Association (IFA), and is actively involved in educating professional athletes on the franchise industry. Since 2013, both have served as speakers at the NFLPA Business Academy held in University of Michigan. Additionally, Ms. Crowell has spoken at the Multi-Unit Franchising Conference along with several other franchisee-focused growth summits and was most recently elected to the IFA Board of Directors.

Ms. Crowell, a native of Tallahassee, Florida, earned a bachelor's degree from the University of Virginia in Commerce, with a specialization in Finance, and a Law degree from the University of North Carolina at Chapel Hill. Prior to entering the franchise industry, Ms. Crowell practiced corporate law in Charlotte, specializing in Commercial Real Estate and Development. Despite the continued growth of their company, Ms. Crowell maintains an active law practice, is licensed in both Florida and North Carolina, specializing her practice in Franchising, Commercial Real Estate and Corporate Transactions, in which she advises other franchisees and business owners on a variety of business-related legal matters.

Ms. Crowell has been actively involved in the promotion of the Jersey Mike's brand through her service as a member of the National Marketing Committee. She is a past Board Member for the Greater Tallahassee Chamber of Commerce, served on the Women United Steering Committee for the United Way of the Big Bend, and currently serves on the Board of Directors for the Ronald McDonald House of Tallahassee as well as the Board of Trustees for Maclay School, chairing the Advancement Committee.

Ronald Gardner is a partner at Dady & Gardner, P.A., who limits his practice to the representation of franchisees, franchisee associations, dealers and distributors in their relations with their franchisors, manufacturers and suppliers. Mr. Gardner, along with the rest of his colleagues at Dady & Gardner, P.A., prides himself on the fact that the firm has a national reputation for effectively and efficiently helping their franchisee, association, dealer and distributor clients to improve their relationships through negotiations and trust building, and when necessary, resolve their disputes through litigation, negotiation, mediation and arbitration.

Specifically, Mr. Gardner has helped clients in dozens of industries, including fast food, automobile, trucking, construction equipment and agricultural implements. Mr. Gardner has represented businesses of all sizes, including multi-unit franchisees, as well as single owner operations. Mr. Gardner also does extensive representation of franchisee associations, representing some 25 associations, including several of the top 10 largest franchise associations in the world. He has handled disputes ranging from unlawful terminations to encroachment to cases regarding franchisor's failure to comply with registration and disclosure requirements of the FTC and state governments and has

negotiated franchise agreements for entire systems. He has represented or counseled clients in all 50 states and several foreign countries. Mr. Gardner has been named one of Minnesota's top 100 "Super Lawyers" six different times, a "Legal Eagle" by the Franchise Times (having been inducted into the "Legal Eagle Hall of Fame" for appearance every year the list has existed), and he has been named as one of the "Best Lawyers in America" in the field of Franchise Law every year since 2006. For 2014-2015 and again in 2018-2019, "Best Lawyers in America" named Mr. Gardner the "Lawyer of the Year" in Franchise Law in Minneapolis. Chambers USA has said he is "a pretty rare guy – his advice can truly be relied upon," as well as calling him "the premier franchisee lawyer in America." Finally, Who's Who has recognized Mr. Gardner as one of the ten most highly regarded franchise lawyers in North America—and he is the ONLY franchisee lawyer to be on that list in the last decade (2010-2020).

Mr. Gardner is a member of the American, Minnesota, Hennepin County and Rice County Bar Associations. He is a Past Chair of the ABA Forum on Franchising, the country's leading group of franchise attorneys (and the first "franchisee lawyer" to ever be elected to this position). In addition to the chairmanship of the Forum on Franchising, he also served as Division Director of the Forum's Litigation and Alternative Dispute Resolution Division, and Co-Chair of the 2005 Orlando Forum. He is also an active participant in the American Association of Franchisees and Dealers. He serves on the North American Securities Administrators' Association Special Franchise Project Group—a highly select group of franchise practitioners who advise state policy makers on franchise regulation issues. Mr. Gardner is a frequent speaker at various gatherings on franchise and distribution-related topics, such as the Annual Forum on Franchising, the National Convention of the American Association of Franchisees and Dealers (having received the AAFD's Total Quality Franchising Chairman's Award for Distinguished Service to the Franchising Community in 2017), the International Franchise Association, the International Bar Association and the International Distribution Institute. He speaks regularly to various franchise and industry groups about their rights, as well as being a regular columnist on the topic of franchising for the *New York Law Journal*.

Mr. Gardner graduated magna cum laude in 1991 from Mankato State University, and is a 1994 cum laude with honors graduate of the Hamline University School of Law, and was been honored by his law school as a Hamline University School of Law Distinguished Alumnus, making him one of only 35 of the graduates at Hamline to ever be so honored. He and his wife Becky are the proud parents of Devyn and Zach, as well as the proud grandparents of Ryan and Owen.

Earsa Jackson is a partner in the Dallas office of Clark Hill, an international firm with offices throughout the United States, Mexico, and Ireland. She is the team leader for the firm's Franchise & Licensing group and the chair of the firm's Diversity Committee. She handles regulatory, transactional and litigation franchise matters for franchise systems ranging in size from emerging to international.

Ms. Jackson serves on the board of International Franchise Association's Education Foundation and as Chair of the IFA Foundation's Diversity Institute. For her contributions to diversity in franchising, she was the recipient of IFA's 2019 Ronald E. Harrison Award.

She is an associate editor of the *Franchise Law Journal* and a former director of the ABA Forum on Franchising's Litigation and Alternative Dispute Resolution Division. She co-authored *Annual Franchise and Distribution Law Developments 2016*. Additionally, she has been a featured speaker, writer,

panelist, and/or facilitator for seminars hosted by such organizations as the ABA Forum on Franchising and International Franchise Association.

Ms. Jackson has been named among the “Best Lawyers in America” in *Franchise Law*, “Legal Eagle” by *Franchise Times*, “Best Business Lawyers in Dallas in Franchise and Development” by *D Magazine*, and “Texas Super Lawyer.”

She received her B.A. from the University of Arkansas at Little Rock (*magna cum laude*) and her J.D. from the University of Virginia School of Law.

Will Maxson is an Assistant Director of the FTC’s Division of Marketing Practices, where he previously served as Staff Attorney and Program Manager for Do Not Call Enforcement. Before joining the FTC, Mr. Maxson was a litigation associate at Jones Day and at Wiley Rein (now Wiley). Mr. Maxson received a B.A. from Vanderbilt University and graduated cum laude from the University of Michigan Law School.

Carl Zwisler has been a franchise lawyer since 1975 when he joined the IFA as its staff counsel. He has been involved in the development of franchise disclosure policy, franchise disclosure laws and franchise disclosure documents, both in the U.S. and abroad. Mr. Zwisler is Senior Counsel, and a member of the Lathrop GPM Franchise and Distribution Practice Group in Washington, DC.

In the early years of his IFA tenure, Mr. Zwisler represented IFA in discussions with both the FTC staff charged with developing the Franchise Rule, and state franchise law administrators, assembled under the auspices of the Midwest Securities Commissioner’s Association’s franchise committee. MSCA’s franchise committee, the predecessor of the NASAA franchise committee, represented most state franchise law administrators at the time, and developed the Uniform Franchise Offering Circular, and the UFOC Guidelines through various iterations. Until the Rule was adopted, the MSCA franchise committee met regularly with the FTC staff in efforts to align state and federal franchise disclosure requirements.

As the Franchise Rule was about to become effective in 1979, Mr. Zwisler and Andrew Caffey wrote and edited *The FTC Franchising Rule: The IFA Compliance Kit*, a comprehensive practice guide to complying with the Rule.

Promoted to IFA General Counsel in 1980, Mr. Zwisler continued to represent IFA in the development of franchise laws at the state level, and participated in ongoing presentations on franchise disclosure laws.

After entering private practice in 1983, Mr. Zwisler continued his advocacy for reasonable franchise regulation, and was commissioned by Commerce Clearing House, publisher of the *Business Franchise Guide*, to analyze the proposed Amended Rule. On behalf of his firm and a major franchisor, he submitted comments on the proposed Amended Rule, which were cited in the Statement of Basis and Purpose more than 150 times. He also participated in presentations with FTC staff explaining how the Amended Rule changed disclosure obligations.

As his practice grew, Mr. Zwisler devoted more of his time to international franchising and served on the ABA Forum on Franchising's inaugural International Division Steering Committee, which, in 2006 published a Survey of International Franchise Sales Laws. He was the country editor for Japan, South Korea and Taiwan. Because of his continuing representation of franchisors entering countries with their own franchise sales laws, he developed an understanding of how foreign franchise disclosure laws differ from the Rule, despite their having been developed with a full awareness of the Rule.

Mr. Zwisler's involvement in the IFA International Committee has led to his analyzing and commenting on proposed franchise sales laws in many countries, either directly, or on behalf of IFA. His understanding of different franchise disclosure regimes informs his analysis of the Franchise Rule and some proposals for changing it.

Since 2013, he has served as a member of the Maryland Attorney General's Franchising Task Force, and between 2012-2017, Mr. Zwisler chaired the IFA-SBA Franchise Registry Task Force.

Since 2017, Mr. Zwisler and colleagues have co-authored articles in the *Franchise Law Journal* and the *Franchise Lawyer* responding to proposals to change the Franchise Rule. Those articles address many of the issues which are likely to be raised during the Workshop. Mr. Zwisler was also the principal author of the Gray Plant Mooty comment submitted in 2019 in connection with the Rule Review [file:///Users/carlzwisler/Downloads/FTC-2019-0014-0028_attachment_1%20\(2\).pdf](file:///Users/carlzwisler/Downloads/FTC-2019-0014-0028_attachment_1%20(2).pdf), and he has been involved in the firm's (now Lathrop GPM's) comments on each of the proposed NASAA Commentaries.

Closing Remarks

Lois C. Greisman heads the Division of Marketing Practices in the FTC's Bureau of Consumer Protection. Under Ms. Greisman's management, Marketing Practices leads the FTC's law enforcement initiatives tackling telemarketing fraud (including Do Not Call/Robocall enforcement), fraudulent business and investment opportunity schemes (including multilevel marketing), mail fraud (including sweepstakes and lotteries), illegal spam, and Internet frauds (including technical support scams). Ms. Greisman also directs the FTC's work to curb fraud in connection with different payment systems, as well as its enforcement of the Magnuson-Moss Warranty Act. Before joining Marketing Practices, Ms. Greisman headed the Division of Planning and Information, where she managed the FTC's Identity Theft Program, the Consumer Response Center, and also supervised implementation of the National Do Not Call Registry. Previously, Ms. Greisman served as Chief of Staff to FTC Chairman Timothy J. Muris. She also served as Attorney Advisor to Chairman Robert Pitofsky and Chairman Janet D. Steiger. Ms. Greisman worked in private practice in Washington, D.C. before joining the FTC. Ms. Greisman received her bachelor's degree from Brown University, and her law degree from George Washington University.