

SENATOR LANDIS: Sure, sure. It would run along this line, let's say...let's take the Virilene cream situation where you find 900,000 bucks going through this post office box with these clearly fraudulent claims. First, you identify the box holder, and you say, here's a fraudulent act. You're in violation of the Unfair Deceptive Trade Practices Act, I'm the Attorney General, I'm capable of taking these issues to court, we ask you to cease and desist. We give you notice that we think you're...that you're in violation.

SENATOR ABBOUD: That would be in the form of a letter?

SENATOR LANDIS: That would be in the form of a letter. Following that time, if there is no coming forward to make a voluntary assurance, you would then make an application to the court for a temporary restraining order. Upon going to court, asking for the court to order the merchant to stop, the court would say, have you given notice? And, as one of the rules of the court, the Attorney General needs to be able to reply, yes, we have, so that the first step is met. So there is the second step, that the court oversees this notice process. Third, if the temporary restraining order is not enough and you go forward with a cause of action, there would be, as a plaintiff in this case, the Attorney General, you would serve the papers on the defendant and the defendant would be given notice of the alleged acts that are regarded as being in violation of the statute. And you are given notice at that time to come forward and defend yourself in court. Up until that time, and even during the pendency of the action in the court room, up until the time when the court says, bang, you're guilty, pay the money, up until that moment the merchant is capable of saying, I will stop. And, if they say that, and the Attorney General is given sufficient assurances they can accept, then it washes all past practices out.

SENATOR ABBOUD: Okay. I haven't seen a copy of the amendment yet, so I just wanted to make sure that that was, in fact, included in the amendment to LB 656. Thank you very much.

SPEAKER BARRETT: Further discussion on the amendment? Senator Landis, would you care to make a closing statement?

SENATOR LANDIS: Mr. Speaker, members of the Legislature, this is not an action which is brought just because it might be a