



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Division of Financial Practices  
Bureau of Consumer Protection

Peggy Twohig  
Associate Director

July 7, 2008

**VIA FIRST-CLASS MAIL**

Geoffrey A. Graves, Esq.  
Graves & Associates  
A Professional Law Corporation  
195 South "C" Street, Suite 250  
Tustin, CA 92780-3652

Re: Elite Financial Group d/b/a Elite Financial Group California  
Matter No. 072-3239

Dear Mr. Graves:

As you know, the staff of the Federal Trade Commission ("FTC") conducted an investigation of Elite Financial Group d/b/a Elite Financial Group California ("Elite Financial") for possible violations of Section 5 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 45 *et seq.* The FTC staff investigation sought to determine whether Elite Financial's distribution of student loan solicitation letters with a seal or logo comprised of the American Bald Eagle, which looks similar to the seal of the United States government, caused consumers to take away the false or misleading claim that the federal government or a federal government affiliated entity had sent the solicitation to them. *See Attached.*

The FTC staff has determined to close its investigation into whether this solicitation deceived consumers. It is our understanding that Elite Financial ceased using a seal or logo of the American Bald Eagle in its solicitations as of July 2007, prior to FTC staff commencing its investigation, and has not re-commenced using that seal or logo. The cessation of the use of the seal or logo was a factor in FTC staff's decision to close this investigation.

Although the FTC staff has decided to close this investigation, it is important to avoid using seals, logos, or other elements in solicitations which some consumers could interpret as indicating that the solicitation is from the federal government or an entity affiliated with the federal government. If consumers could take away this impression, the solicitation should include a clear and prominent<sup>1</sup> disclosure that neither the federal government nor anyone

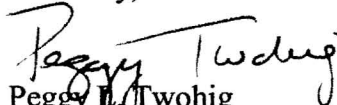
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<sup>1</sup> Note that the FTC has published materials to provide guidance concerning how to disclose information in a clear and prominent manner. *See, e.g., Dot Com Disclosures*

affiliated with the federal government sent the solicitation.

The closing of this investigation is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

Sincerely,



Peggy L. Twohig

Associate Director

Division of Financial Practices

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*Information About Online Advertising*, available at <http://www.ftc.gov/bcp/online/pubs/buspubs/dotcom/index.pdf>; see also, *Federal Trade Commission, Staff Comment to the Department of Health and Human Services Food and Drug Administration, In the Matter of Request for Comment on First Amendment Issues*, Docket No. 02N-0209, Sept. 13, 2002, available at <http://www.ftc.gov/os/2002/09/fdatextversion.pdf>, pp. 15-16.

