

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 03-N-184 (MJW)

MAINSTREAM MARKETING SERVICES, INC., et al.
Plaintiffs,

v.

FEDERAL TRADE COMMISSION, et al.,
Defendants.

DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. 56, defendants Federal Trade Commission, Timothy J. Muris, Sheila F. Anthony, Mozelle W. Thompson, Orson Swindle, Thomas B. Leary, and J. Howard Beales III move this Court for summary judgment on the grounds that there are no material facts in dispute and that the Commission is entitled to judgment, dismissing the complaint, as a matter of law. In support of this motion, the defendants submit the accompanying memorandum of points and authorities.

WHEREFORE, defendants respectfully request that this Court issue an order dismissing the complaint in the above-captioned matter.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2003, I served a copy of the Defendants' Cross-Motion for Summary Judgment on plaintiffs by mailing that copy by first-class mail to:

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