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Direct Selling Firm Settles with FTC, Resumes Operations



United Wealth Education agrees to compliance measures, denies pyramid scheme allegations

United Wealth Education (UWE) and its affiliated non-profit, the Youth Financial Literacy Foundation (YFL), have reached a settlement with the Federal Trade Commission (FTC) regarding a May 2022 complaint. The agreement, approved unanimously by the FTC Commission in early August 2024, allows both organizations to continue full operations.

This development marks a significant turn of events in a case that began over two years ago when the FTC took action against the Michigan-based direct selling company, then operating as **Financial Education Services Inc.** (FES).

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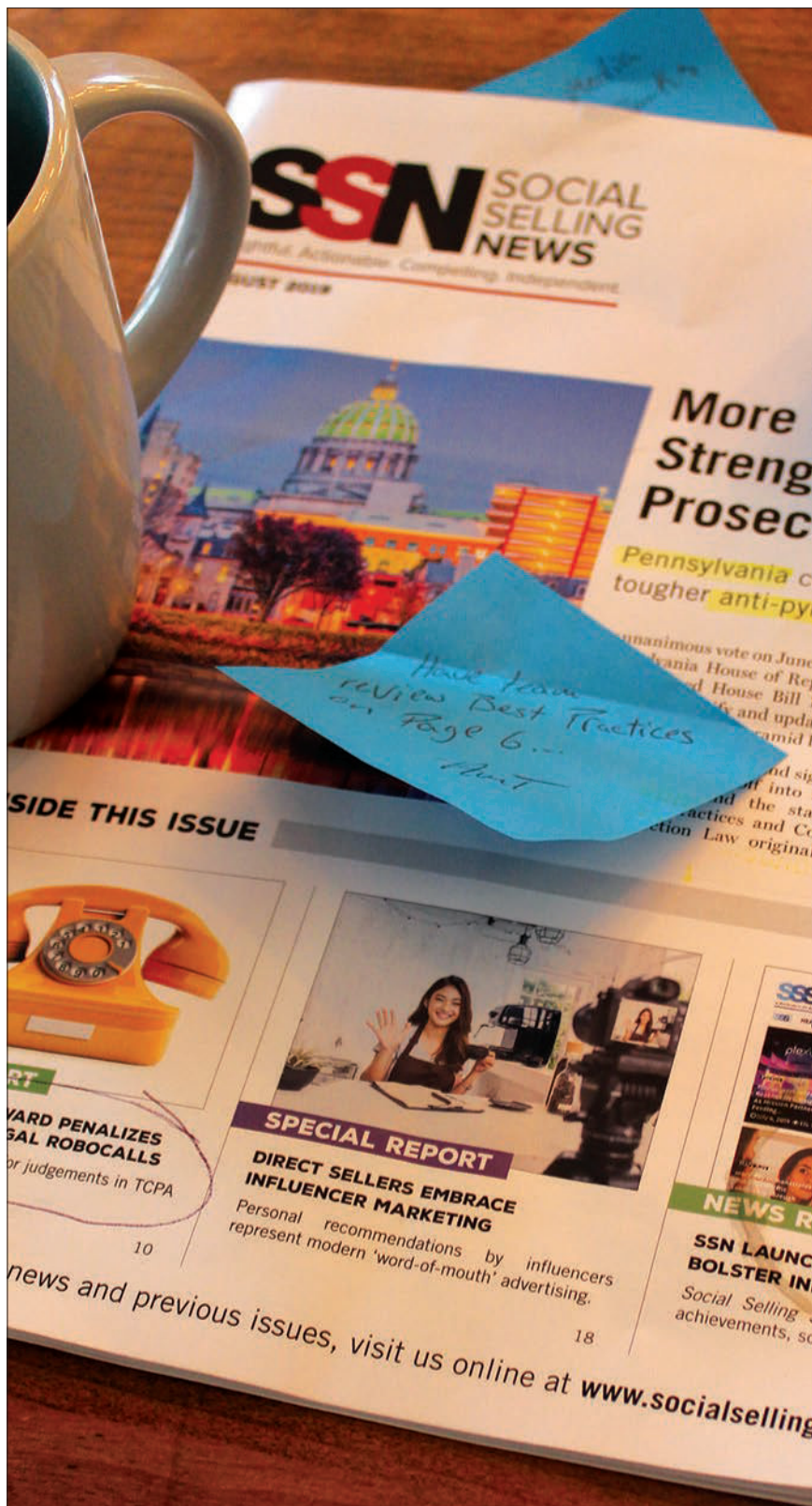
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SEPTEMBER 2024 | VOLUME 7 ISSUE 2

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SOCIAL SELLING NEWS

8127 Mesa Dr

Ste B206-295

Austin, TX 78759

www.socialsellingnews.com

325-261-3778

Social Selling News is a monthly publication of New Generation Media LLC.

SUBSCRIPTION RATE: \$65 annually for print and digital. Digital-only subscriptions \$58 per year. Subscribe online.

COMMUNITY IMPACT
PRINTING AND MAILING

Printed on 35# Hi-brite paper with environmentally friendly soy oil-based inks by Community Impact Printing, Pflugerville, Texas.

Introducing the Channel Summit — A New Era for Direct Selling Innovation

Hello friends,

I'm excited to share some significant news with you. As our industry continues to navigate rapid technological changes, evolving consumer behaviors, and an ever-shifting regulatory landscape the need for a unified platform to address these challenges has never been greater. In response to this need, *SSN* is partnering with the Direct Selling Association (DSA) to launch **The Channel Summit**, a new flagship event for our industry. This collaboration marks an important step forward in addressing the evolving needs of direct selling companies and executives.

Set for Feb. 12-14, 2025, in Salt Lake City, Utah, The Channel Summit promises to be a pivotal gathering for direct sales leaders and innovators. Our theme, "Collaborate. Innovate. Elevate," encapsulates our vision for this event and for the future of our industry. In an era where adaptability and forward-thinking are crucial, this summit aims to foster collaboration and share practical strategies for navigating the changing landscape of direct selling.

By combining the DSA's industry leadership with *SSN*'s editorial expertise, we're creating an unparalleled educational and networking experience. The summit will feature multi-track sessions covering critical topics such as AI



integration, social media strategies, regulatory challenges, and operational excellence.

Importantly, this summit is open to all direct selling executives, whether you're a DSA member or not. We believe that bringing together diverse perspectives is crucial for the growth and evolution of our industry. The Channel Summit will serve as a melting pot of ideas, fostering discussions that will shape the future of direct selling and social commerce.

For our supplier partners and advertisers, we'll be offering premium sponsorship opportunities to showcase your solutions to a highly targeted audience of industry decision-makers. This is your chance to connect with the companies that are driving innovation in our field.

I want to express my appreciation to Joe Mariano and the DSA team for their partnership in creating this landmark event. Together, we're building a platform that will shape the future of direct selling. Their commitment to industry advancement aligns perfectly with our mission at *SSN* to keep you informed and empowered.

I encourage you to visit thechannelsummit.org to learn more and register. Early bird registration is now open, and I recommend securing your spot soon. This is more than just a conference – it's an investment in your company's future and in the strength of our industry as a whole.

As always, thank you for your continued support of *Social Selling News*. Your engagement and insights drive us to continually improve and bring you the content and events that matter most. It's your dedication to excellence that inspires us to create resources like The Channel Summit.

I look forward to seeing you in Salt Lake City as we embark on this exciting new chapter for our industry.

Warmly,




DAVID BLAND

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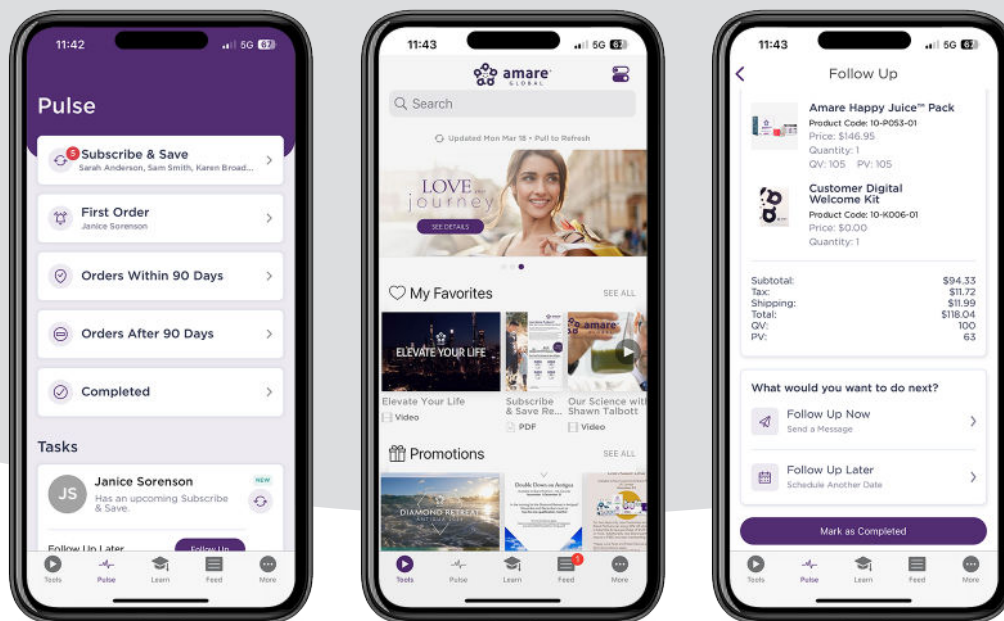
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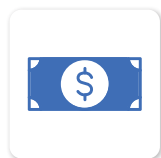
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DIRECT SELLING FIRM SETTLES WITH FTC, CONTINUED FROM 1

Case Background

On May 23, 2022, the FTC took swift action against FES, a direct selling company offering credit repair services. The FTC filed a complaint alleging that FES and its owners, Parimal Naik, Michael Toloff, Christopher Toloff, and Gerald Thompson, along with several related companies, had operated an unlawful credit repair scam and an illegal pyramid scheme since 2015.

The FTC’s complaint claimed that FES had deceived consumers across the country and violated several laws, including the FTC Act, the Credit Repair Organizations Act and the Telemarketing Sales Rule. According to the FTC, the company had bilked consumers for more than \$213 million through its practices.

Initially, the FTC’s action resulted in a temporary restraining order and asset freeze issued by U.S. District Judge Bernard A. Friedman on May 24, 2022. This order effectively shut down the company’s operations and froze its assets pending further investigation.

The FTC’s complaint contained several allegations regarding FES’s business practices:

1. The agency claimed that FES violated Section 5(a) of the FTC Act, which prohibits unfair or deceptive acts or practices in or affecting commerce.
2. The FTC alleged violations of Title IV of the Consumer Credit Protection Act, which regulates credit repair services and prohibits certain practices such as demanding advance payment and making misleading representations.
3. The complaint also cited violations of the Telemarketing Sales Rule, which sets standards for telemarketing practices and prohibits certain deceptive tactics.

To support its claims, the FTC submitted a declaration from Dr. David Givens, an economist in the Consumer Protection Division of the Bureau of Economics at the FTC. Givens concluded that FES was operating in a manner consistent with being a pyramid scheme, although he noted that he had not seen company data on enrollment, purchasing, compensation, or tenure.

However, the case took an unexpected turn on June 30, 2022. After hearing oral arguments in the U.S. District Court for the Eastern District

“They did no investigation here. They did a background investigation secretly, but they never reached out to the company.”
 —Richard Epstein, FES legal team

of Michigan, Judge Friedman denied the motion for a preliminary injunction. He vacated the temporary restraining order, terminated the asset freeze, and converted the receivership to a monitorship. This decision allowed FES to resume its operations under the observation of a court-appointed monitor.

The judge’s decision to deny the preliminary injunction was based on several factors, including testimonials and affidavits from FES customers and agents, as well as expert testimony challenging the FTC’s allegations.

The court-appointed receiver, who had spent approximately a month evaluating the business, found that FES had a “fairly robust compliance infrastructure in place,” according to Richard Epstein, a member of the FES legal team.

This initial ruling set the stage for further legal proceedings and negotiations between FES and the FTC, ultimately leading to the settlement announced in August 2024.

Company’s Response and Legal Process

Throughout the legal process, FES, now operating as UWE, maintained its innocence. The company’s legal team argued that the FTC’s complaint contained unfounded accusations and lacked proper investigation.

Epstein stated in 2022, “They did no investigation here. They did no investigation of the company. They did a background investigation secretly, but they never reached out to the company.”

The defense presented customer testimonials, affidavits, and expert declarations to counter the FTC’s allegations. They argued that FES had several key features differentiating it from typical multilevel-marketing companies (MLMs), including no incentive for inventory loading and full visibility into consumer purchases.

Settlement Details and Implications

Both UWE and YFL have agreed to operate within the provisions outlined in several consumer protection laws, including the Credit Repair Organizations Act (CROA), the Fair Credit Reporting Act (FCRA), the Telemarketing and Consumer Fraud and Abuse Prevention Act, the Gramm-Leach-Bliley Act and the Federal Trade Commission Act.

In a statement to SSN, Naik welcomed the settlement, saying, “This is a signature moment in our 20-year history. The message is very clear: We are not a pyramid scheme. We do not make false promises. We do not overstate outcomes and earnings.”



CONTINUED ON PAGE 8

DIRECT SELLING FIRM SETTLES WITH FTC, CONTINUED FROM 7

Naik emphasized that the company remained open throughout the settlement process and made updates to address the FTC's original complaint. He viewed the scrutiny as an opportunity for growth, noting that key parts of the company's operation, including compliance rules and regulations, have reached new levels of excellence.

While the settlement includes fines, which some might interpret as an admission of guilt, both Naik and Michael Curry, president of YFL, addressed this perception.

"We get it," Curry stated. "Given the history, both 'credit-repair' and 'network marketing' carry a stigma. When you combine the two, people are naturally going to question it. But the reality is the UCES Protection Plan has positioned thousands of people to improve their debt and savings ratios, protect their personal estates and credit, and so much more."

Business Model and Services

UWE partners with YFL to provide the United Credit Education Services Protection Plan (UCES Protection Plan), a bundled consumer finance solution. The monthly subscription service includes tools for identity monitoring, personal credit, and wills and trusts, among others.



U.S. Senior District Judge Bernard Friedman of the Eastern District of Michigan.

This is a signature moment in our 20-year history. The message is very clear: We are not a pyramid scheme. We do not make false promises. We do not overstate outcomes and earnings.

— Parimal Naik, founder and CEO, United Wealth Education

Naik clarified the nature of the business, stating, "Contrary to some stereotypes, we are not a 'credit repair' company. We are a financial literacy company serving consumers who want to improve their financial health and independent agents interested in supplemental income."

According to Naik, approximately 65% of the company's clients are customers who choose to take advantage of their full suite of finance solutions, while the remaining 35% are customers who also participate in the business opportunity.

Impact on Customers and Agents

The settlement allows UWE and YFL to continue their operations, which company leaders claim have helped thousands of people improve their debt and savings ratios, protect their personal estates and credit, and more. Curry emphasized that every Protection Plan purchase generates funding for YFL's charitable educational programs.

Naik expressed gratitude to those who remained with the company during the legal proceedings, stating, "We are all very thankful, especially for the customers, employees, and agents who stayed with us. Without them we would not be where we are today."

Industry Implications and Future Outlook

The resolution of this case may have broader implications for the direct selling and credit repair industries. As the company moves forward under the settlement agreement, it will likely face continued scrutiny from regulators and industry observers. The appointment of

a monitor during the legal process suggests that UWE's operations will remain under close watch to ensure compliance with relevant laws and regulations.

Naik and Curry expressed optimism about the future, with Naik stating, "Most businesses would not survive something like this, but we are stronger than ever." The company leaders view the settlement as an opportunity to publicly verify their commitment to upholding the law and continuing their mission of promoting financial literacy.

The resolution of this case may serve as a benchmark for how similar companies operate and interact with regulatory agencies in the future, with its emphasis on compliance and transparency potentially influencing industry standards moving forward.

SSN



David Bland is the publisher of *Social Selling News*.

New Rule Targets Fake Reviews and Deceptive Testimonials

FTC finalizes regulations set to reshape online marketing practices

By SSN Staff

The Federal Trade Commission (FTC) has unanimously approved a new rule targeting fake reviews and deceptive testimonials, a move that could significantly impact online marketing practices across numerous industries. The regulations, approved by a 5-0 vote, are set to take effect 60 days after publication in the Federal Register.

FTC Chair Lina M. Khan emphasized the rule's importance, stating, "Fake reviews not only waste people's time and money, but also pollute the marketplace and divert business away from honest competitors."

The new rule addresses various practices related to consumer reviews and testimonials, signaling a major shift in how businesses may need to approach their online marketing strategies. It comes in response to challenges the FTC has faced in seeking monetary relief for consumers under the FTC Act, particularly following the Supreme Court's decision in *AMG Capital Management LLC v. FTC*, which hindered the agency's ability to obtain such relief.

Key Areas of Concern and Rule Highlights

The Commission's press release outlines six key areas that the new rule addresses:

- 1. Fraudulent Reviews and Testimonials:** Prohibits fake or false consumer reviews, including AI-generated content.

- 2. Incentivized Review Manipulation:** Bars companies from offering compensation for reviews expressing specific sentiments.

- 3. Undisclosed Insider Reviews:** Requires clear disclosure of material connections for reviews from company insiders.

- 4. Misrepresentation of Review Website Independence:** Forbids businesses from falsely claiming independent reviews on websites they control.

- 5. Unfair Review Suppression:** Prohibits using threats or false accusations to prevent negative reviews.

- 6. Abuse of Social Media Influence Indicators:** Forbids the sale or purchase of fake social media influence indicators.

These regulations build upon the FTC's updated Endorsement Guides released in 2023.

Rulemaking Process and Public Input

The rulemaking process began with an Advance Notice of Proposed Rulemaking (ANPR) in November 2022, followed by a Notice of Proposed Rulemaking (NPRM) in June 2023. The Commission received extensive public input, including 42 comments on the ANPR and 100 on the NPRM.

An informal public hearing was conducted in February 2024, where compliance costs for businesses were

discussed. While some industry representatives argued costs could be substantial, particularly for smaller businesses, Administrative Law Judge Carol Fox Foelak found insufficient evidence to make a definitive determination on this matter.

Enforcement and Compliance

The FTC has emphasized that the new rule will provide a more direct path to obtaining monetary redress for injured consumers. The Commission noted that case-by-case enforcement without civil penalty authority might not be enough to deter clearly deceptive review and testimonial practices. This rule will enhance deterrence and strengthen FTC enforcement actions, allowing the agency to seek civil penalties against known violators.

Companies found in violation of the new rule could face civil penalties of up to \$51,744 per violation and other enforcement actions. The FTC believes these potential consequences will serve as a strong deterrent against fraudulent practices. Importantly, the Commission noted that civil penalties under this rule do not require "quantifiable proof of consumer injury," which is typically necessary for other forms of FTC enforcement actions.

Chamber of Commerce Weighs in on New Rule

The U.S. Chamber of Commerce, representing a wide range of businesses, has expressed support for much of the FTC's proposed rule. In comments submitted in October 2023, the Chamber acknowledged

the widespread problem of fake reviews, stating, "Fake reviews not only cost consumers money and time, but they also hurt a business's reputation and undermine consumers' trust in brands."

However, the Chamber also suggested improvements. Nina Frant, the Chamber's vice president for consumer policy, emphasized, "The U.S. Chamber encourages the FTC to work more closely with the business community to fight fake reviews. The business community is a significant part of the solution to combating bad actors who take advantage of consumers."

The Chamber recommended that the FTC should not hold retailers or websites liable for efforts to remove harmful third-party content or for simply displaying, hosting, aggregating, or prompting consumers to write reviews. They also urged the FTC to focus on prohibitions for acts or practices that are prevalent in the marketplace and to encourage opportunities for public discourse in the rulemaking process.

As the FTC moves forward with the rule, businesses in affected industries may need to review and adjust their current practices to ensure compliance. The FTC will begin enforcing the rule 60 days after its publication in the Federal Register, during which time companies and industry associations are likely to consult with legal experts to fully understand the rule's requirements and its potential impact on their operations.

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The FTC's New Business Guidance: Do You Need To Adopt All of It?

Navigating the 2024 Guidance in a post-Chevron landscape

By John Sanders and Katrina Eash, Guest Contributors

The Federal Trade Commission (FTC) has faced several recent setbacks. Last year, in *Neora*, a federal court rejected the FTC's arguments that Neora was operating an illegal pyramid scheme and was making deceptive income and product claims. Then, in August 2024, a federal court in *Ryan* enjoined nationwide the FTC rule that would ban worker non-competes.

Despite these setbacks, in April 2024, the FTC issued new business guidance concerning direct selling companies. Nonetheless, on June 28, 2024, the U.S. Supreme Court in *Loper Bright* overturned *Chevron*, reversing four decades of courts' deference to the interpretation of ambiguous statutes by federal agencies.

Loper Bright—a landmark June 2024 U.S. Supreme Court opinion that overruled *Chevron* deference, which had directed courts to defer to federal agencies' interpretations of ambiguous statutes—is another nail in the coffin for the FTC. That said, much uncertainty exists about both how aggressively the FTC will seek to enforce its new guidance and how lower courts will apply the standard articulated in *Loper Bright*.

Still, in a post-*Chevron* legal landscape in which courts are not directed to automatically adhere to agencies' interpretations of ambiguous statutes, direct selling companies likely face less risk of an FTC enforcement action merely because they chose to ignore some of the FTC's newfound guidance, especially FTC guidance untethered

from longstanding FTC practice or from established legal precedents.

Nonetheless, it is recommended that direct selling companies seek legal counsel to evaluate what new guidance the FTC will likely be successful in enforcing and the risk inherent in not complying with the FTC's new guidance.

Four decades ago, the U.S. Supreme Court in *Chevron* addressed how courts should view federal agencies' interpretations of statutes. In *Chevron*, the Court developed a two-pronged test: First, courts should assess whether Congress spoke directly on the question at issue through an unambiguous statute.

If so, then courts must give effect to congressional intent by applying that unambiguous statute. But if Congress has not spoken directly on an issue (typically because a statute does not address that issue or because a statute is ambiguous as to an issue), then, under *Chevron*, courts must defer to an agency's interpretation of that statute so long as an agency's interpretation is a "permissible construction of the statute."

Behind *Chevron* was the idea that statutory ambiguities should be resolved by agency officials with "special expertise" in a specific subject area. Courts' deference to the interpretation of statutes by federal agencies came to be known as the "Chevron doctrine." *Chevron* has had an enormous impact on administrative law: It has been cited by thousands of courts and has

given federal agencies the latitude (and muscle) to shape law.

The FTC's Changing Stance: Key Points from the 2024 Guidance

In April 2024, the FTC released its "Business Guidance Concerning Multi-Level Marketing" (2024 Guidance), which contains updated guidance regarding the direct sales marketing channel.

Much of the 2024 Guidance outlines areas the FTC will consider in evaluating whether direct sellers are pyramid schemes or have engaged in deceptive practices under Section 5 of the FTC Act. 15 U.S.C. § 45.

Some of the FTC's guidelines are novel, while others retrench or even retract earlier positions previously taken by the FTC. Here are just a few principles emphasized in the 2024 Guidelines:

- Safe harbors for retail sales: For years, courts (and the FTC itself) have stated that an MLM is not a pyramid scheme when a seller's compensation plan is connected with retail sales. Now, the FTC states that "[t]here is no safe harbor under the FTC Act for such a compensation plan." —2024 Guidance.
- Purchases made by participants: Courts have often considered purchases made by participants to be legitimate retail sales to "ultimate users." The FTC confirmed as such in its 2018 Guidance, stating that: "Product that is purchased and consumed

by participants to satisfy their own genuine product demand . . . is not in itself indicative of a problematic MLM compensation structure." —FTC's 2018 "Business Guidance Concerning Multi-Level Marketing."

- In a turn of events, the FTC's 2024 Guidance now rejects its previous position, explaining that it will instead look to, among other things, whether purchases made by participants satisfy personal or retail demand and whether companies encourage participants to purchase products for reasons other than "true retail demand."

That said, in *Neora*, the court rejected the FTC's argument that purchases by participants are not sales to end users, so the 2024 Guidance goes against recent case law.

- Representations about "modest" or "supplemental" earnings: Despite suggesting for years that direct sellers should represent that participants can only expect to make modest or supplemental income, now the 2024 Guidance explains that companies should avoid making claims about even modest or supplemental income.

These are merely a couple of examples. It is strongly recommended that you contact counsel for a full analysis of the 2024 Guidance and how it differs from earlier FTC guidance and legal precedent.

There can be no doubt that direct sellers can, and should, comply with

the FTC's 2024 Guidance to the extent it is consistent with existing legal precedent and/or legitimate and accepted interpretation of the FTC Act.

That said, as shown above, much of the 2024 Guidance ignores legal precedent and diverges from the FTC's prior interpretations of the FTC Act. In those instances, the question remains: What is the risk of my company refusing to comply with the FTC's interpretation of the FTC Act when that interpretation has no basis in the law and is otherwise unsupported?

The End of *Chevron* Deference: Implications for Direct Sellers

The Supreme Court helped to answer that question with its June 2024 *Loper Bright* decision. After four decades of dominance, the *Chevron* doctrine died with *Loper Bright*. In *Loper Bright*, the Court explicitly overruled *Chevron* and held that courts need no longer blindly and blithely defer to federal agencies' interpretations of ambiguous statutes.

The Court reasoned that agencies have no special ability to interpret ambiguous statutes. Instead, courts do. Thus, courts should exercise their own judgment in interpreting ambiguous statutory provisions. *Loper Bright* represents a sea change in how courts view administrative law.

Still, much is uncertain about the standard of review adopted in *Loper Bright*. Lower courts will likely need to flesh out its contours over years—or even decades. How courts apply *Loper Bright* will have a significant impact on the risk direct selling companies face in not adopting the FTC's new guidance.

To start, *Loper Bright* leaves untouched agency interpretations where Congress has unambiguously delegated to a federal agency authority to issue such interpretations. So, courts will need to evaluate this more carefully post-*Chevron*. In addition, *Loper Bright* holds that courts should give "due respect" to agency interpretations when those interpretations are longstanding and well-reasoned.

But what is a longstanding and well-reasoned interpretation? *Loper Bright* also holds that when an agency's interpretation relies on findings of fact within the special purview of that agency, then that agency's interpretation may be informative. But what counts as a finding of fact within an agency's special expertise?

Assessing Compliance Risk: Balancing FTC Guidance and Legal Precedent

For direct selling companies assessing whether to adopt positions the FTC takes in the 2024 Guidance, the uncertainties inherent in *Loper Bright* are directly in play and must be carefully considered.

For example, the FTC's new pronouncements that direct sellers should avoid claims about even "modest" or "supplemental" income is far from "longstanding"—indeed, the FTC routinely suggested such language to direct sellers for many years prior to the 2024 Guidance.

Accordingly, the 2024 Guidance likely carries little weight under *Loper Bright*, and a direct selling company likely faces little risk if it fails to adopt the new guidance.

Put simply, while the legal landscape appears more favorable to direct selling companies under *Loper Bright*, a post-*Chevron* world raises many new uncertainties for direct selling companies.

Those uncertainties necessitate an individualized assessment of each position taken by the FTC in the 2024 Guidance (such as those demonstrated above) to evaluate the extent to which your company is (or is not) at risk for failure to comply with a position taken in the Guidance. It's recommended that you work with legal counsel in performing such assessments.

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John Sanders and Katrina Eash are Partners at Winston & Strawn.

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DALLAS DIVISION

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Defendants.

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The Direct Selling Playbook: What's Working and What's Not in 2024

Experienced top executives reveal strategies driving sales and recruitment in today's market

By Jenna Lang Warford

Headlines in the direct selling channel are alarming: Quarterly sales reports are showing decreases, the Federal Trade Commission doesn't seem to have slowed its pursuit of eradicating the multi-level compensation model and companies that seemed stable are switching to single-level affiliate compensation models.

Three questions loom large:

- What is working for the sales field regarding sales and recruiting?
- What isn't working?
- What can executives do to support the sales field?

What's Working Now

Beauty company **Red Aspen**, founded in 2017, is still growing at a rapid pace. The company was recognized in both 2022 and 2023 as an INC 5000 company and is one of the fastest-growing businesses in Idaho.

Its co-founders, sisters Jesse McKinney (CEO) and Genie Reese (chief strategy officer), together with friend Chief Operating Officer Amanda Moore are regular speakers at channel events, sharing what is creating growth for the company.

Social media has always been a strong part of Red Aspen's field practices. The company's strategies for field sales are designed around optimizing that for Brand Ambassadors. There are two key areas the team focuses on to produce growth, according to McKinney.



“The first is personalized content,” she says. “We create beautiful imagery of all of our products, and my hope is that Brand Ambassadors don't use it but instead create their own. We found when we provide them with the product about a week ahead of launch, they make their own content. This works better because it's personal to them, showcasing their own personalities.”

The other thing the company has done is eliminate the catalog cycles. “We completely ditched the catalog model, and we just have weekly, limited-time offering drops. This keeps things really fresh for the field,” McKinney says.

For **Norwex**, Vice President of North America Brian Dill acknowledges that the company has had to re-evaluate its strategies over the past few years. “Norwex has gone on a journey since the pandemic and what we realized

is we have an amazing product, we have an amazing base of consultants, and our comp plan and everything is working just as it should.

“The overarching thing that we realized is we have to go back to who we are and we have to go back to building relationships; the relationships are the key to our business,” he adds.

“So we went back to the basics. For selling at Norwex, that's the party plan method. Now, how that party's done is different now. It can be in person, on Zoom, on Facebook, it can be done through texting.”

Dill is frank about the company finding effective ways to support the field in recruiting. “From a recruiting standpoint, I think like most everyone out there in our industry, the struggle's real,” he says.

“We've had a good year of recruiting, but not necessarily the year that we want. And so we're looking at how do we do things differently; how do we catch the attention of our new people? Because new people account for the majority of where our new recruits are coming from.”

Dill continues, “And then the next part is how do we keep our leaders engaged in team building? We've kicked around a couple things, and in September we have a couple of exciting programs that we're going to launch, things we've never done before. So we'll see how that works.”

In preparing for this new strategy, the executive team discovered that their field was concerned with analytics.

“They want to know systematically, how many parties does it take to get X amount of revenue? How many parties does it take to get X number of bookings? How many people attending does it take to get bookings? How many are asked before someone is recruited?”

Part of Norwex's strategy was strategically working with their leaders to determine those stats.

Tony Solis, serving as interim president of **Qyral** and prepping for the launch of a new brand, also believes that capturing the attention of new distributors is vital in this process. He says, “I am seeing the most effective results

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THE DIRECT SELLING PLAYBOOK, CONTINUED FROM 13

stem from a renewed emphasis on how best to engage our newest customers and distributors.

“Companies that have a robust distributor onboarding program, which receives support and adherence from their leadership—along with providing a strong consumer experience—will tend to have an increased engagement and larger average customer order.”

John Melton, a top field leader and top earner who also runs the training company My Lifestyle Academy, says that there are two key factors for engagement, each with several components. The first is the inherent value that in-person connection offers, but that it isn't effective if used the same way it was used even five years ago.

“There's definitely value in the in-person events,” Melton says. “We still do in-person training; we still do team retreats. Those are obviously beneficial, but to expose people to your product or opportunity you don't need to physically sit down with someone anymore. Most people don't want to do that. They don't want to invite people to their homes.”

He says another thing people don't want to do is feel like they have to chase people or pitch to their friends and family. “That's why most people get excited about the second thing, which is the whole lead generation conversation, building a brand and the new-age way of doing things.”

“We create beautiful imagery of all of our products, and my hope is that Brand Ambassadors don't use it but instead create their own.”

— Jesse McKinney, CEO, Red Aspen

It's required for today's distributor, though Melton also acknowledges, “The challenge is, now there are so many people posting on social media, trying to get attention. So not only is that more competitive now, but people are a lot more sophisticated.”

“People don't just see someone post about a product or post about an opportunity and immediately express interest,” he says. “They're skeptical, because they tried some different things and didn't have great results; so they're not naive when it comes to opportunities.”

What this means, Melton adds, is that while social media can be a great way to connect with new prospects, it remains important for people to master the mundane, the basics of connection, follow-up, and asking questions.

Melissa Soete, field development sales strategist and keynote speaker, has recently worked with companies such as **Green Compass** and **Color Street** and sees a trend that executives would be wise to incorporate into their strategies.

“What I see working is what has become the norm for our society. Sales representatives are selling through ‘micro-moments,’” she says. “People want to be captivated in 10 seconds or less.”

“So the representatives who are doing really short Reels and Stories and making posts that really catch people's attention are the ones getting traction. Similar to Instagram ads. They start with an image or a video, and we're drawn in to learn more.”

One of the ways that direct sellers can draw people in quickly is by focusing on a niche market, branding themselves and narrowing their focus. “Say my market is going to be menopausal women,” Soete says.

“So everything that I post and use is geared toward them and their interests. This way, I'm getting people that are relating to what I'm sharing and I'm building that community. And then those micro-selling moments are effective because my audience is already attracted to what I'm doing.”

Much like Red Aspen doing away with the catalog cycle, Soete also suggested culling the product offering to what truly represents the brand's priorities. “Look at all the products, make sure that the quality and the offering is really consistent across the board. For so long, people just kept adding and adding products just to have another product offering.” That diluted the brands, she says.

Narrowing down the product offerings has another bonus, Soete adds. “When our Gen Y and Gen Z people go to the site, they are focused on the product, and they're focused on authenticity and transparency of the company. So leading with an opportunity before they know anything about the company and the product is not working for those age groups.”

“Successful companies aren't shouting about their business opportunity on their website,” she continues.

“Many of the companies that have had the greatest success didn't do that. They focused on product, and then they offered the opportunity as people became customers. They may have had their opportunity on their website, but it was linked at the bottom. Companies can help their sales fields by doing that. Because what's working in recruiting is gaining customers and then moving them over to become sales reps.”

As a corollary to that, Soete advises going through web copy and marketing materials and scrubbing them of words and phrases that are overused in the channel, such as “opportunity,” “right place at the right time,” and “ground floor.”

Jessica Kane, a fractional executive and developer of a network marketing-specific app for the field's managed and customized communications, has seen first-hand that some basics

“New people account for the majority of where our new recruits are coming from.”

— Brian Dill, Vice President North America, Norwex

are overlooked to the field's and company's detriment. In recent consulting gigs—such as the one she completed this summer as fractional CEO of a jewelry company—she quickly realized effective training methods have drastically shifted.

“Giving Distributors the action list to show them what to do to get the sale is the key,” Kane says. “Don’t bother with teaching them the psychology behind why we’re doing it, just concisely tell them what to do.”

What’s Not Working

Kane adds, “Also no longer working is the idea that we must teach our sellers how to sell instead of coaching them to the actions we know that will help them get the sale.

“Another big takeaway for training is that when you’re bringing on someone new, it’s no longer OK to give them an LMS [learning management system] and put them in an app with tons of videos to learn, learn, learn because then they are no longer focused on the point, which is to take action.

“Instead of trying to teach them the ins and outs of why we’re doing it, help them with just the actions that they need that align with their goals,” Kane emphasized. “Not our goals at corporate or those of leadership, but their personal goals.”

McKinney and her team lean into the idea of micro-moments and being concise when it comes to another aspect of training as well.

“In terms of what’s not working, it’s definitely long-form training content,” she says. “We found that we have to make it bite-sized in order for the distributor to pay attention. We live in a world where an Instagram Reel is maybe six seconds, and that’s what people are looking for.”



The challenge is, now there are so many people posting on social media, trying to get attention.

— John Melton, Top-Earning Field Leader, Founder of My Lifestyle Academy



Soete agrees. “Anything that’s long, whether it’s a long post, a long presentation, or a long Zoom call, we really have to reduce it down,” she says. “If it used to be an hour, it needs to be 15 minutes. If it was 15 minutes it needs to be cut down to five or less.”

As part of Norwex’s own management and field leader journey of discovering what works or not, Dill acknowledges, “What’s no longer working for the field is trying to do everything like everyone else, trying to jump on trends.”

Other things that aren’t working include short-term fixes that no longer even patch a problem, but instead can exacerbate it. Solis adds, “It appears that we can no longer rely heavily on high-end monthly recruiting incentives that cater only to top recruiters, nor on product discount promotions that attempt to capitalize on slow-moving products to achieve consistent month-over-month sales growth.”

How Executives Can Empower Their Field

Clear communication and adaptability are crucial for supporting the direct selling field in today’s evolving market. Executives are finding innovative ways to address challenges and empower their teams.

Addressing industry concerns head-on, Dill of Norwex emphasizes the importance of transparency. “We continue to reinforce to the field our

commitment to our business model, our earning model, and our commitment to them as individuals,” he states, highlighting how clear communication can alleviate fears and build trust.

Streamlining technology is another key focus. McKinney from Red Aspen shares the company’s success in enhancing the e-commerce experience: “We recently switched our platform to Shopify, which has already shown incredible increases in our conversion rates.”

This approach not only benefits distributors but also simplifies the purchasing process for customers, demonstrating how tech improvements can drive sales, she says.

While technology is important, Solis cautions against overreliance on traditional motivational tools like Fast Start programs.

Instead, he advocates for a more personalized approach, suggesting companies “directly focus on your newest members by considering what actions can best coach, train, and motivate them to tap into their network.” This strategy emphasizes the importance of nurturing new talent to build a strong foundation for growth.

Complementing these approaches, Soete stresses the need for ongoing education in the rapidly changing world of social selling. She advises, “Make sure there is consistent training around social selling and what is currently working in that arena, updating as necessary to

ensure the field knows what it needs to create success.”

This continuous learning approach keeps the sales force agile and effective in leveraging social media platforms, Soete says.

In today’s sophisticated market, authenticity is vital. Distributors should acknowledge their enthusiasm while being transparent about their expertise and product preferences. Avoiding tactics like hidden direct messages in response to social media comments can help build trust with potential customers and recruits.

Executives can empower their field by prioritizing clear communication, enhancing e-commerce experiences, focusing on new member development, and providing updated social selling training.

By blending the best of traditional commerce with direct selling’s strengths—personal connections and product passion—companies can create an environment where their field can thrive in today’s evolving marketplace. The way to accomplish this is to adapt to changing consumer behaviors while maintaining authenticity and transparency in all interactions.

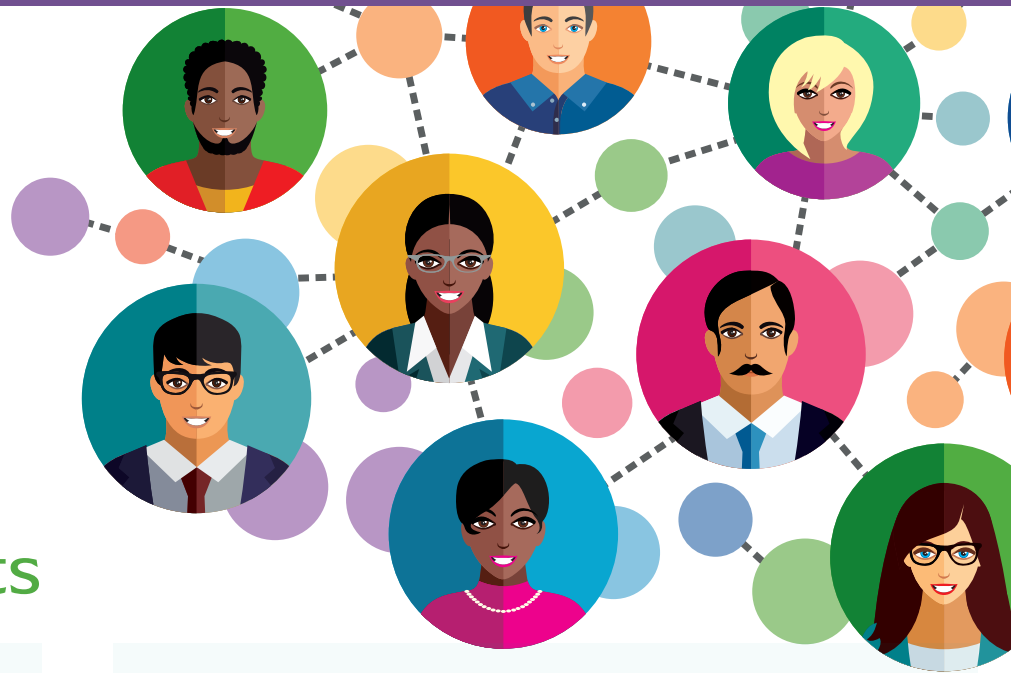
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Jenna Lang Warford is a *Social Selling News* Contributor.

Best Practices for Supporting the Field

Sophisticated Audiences Necessitate Channel Shifts



What's Working in the Field

- ◆ More authenticity, less glossy perfection on social media accounts
- ◆ Responding to evolving consumer expectations
- ◆ Responding to evolving entrepreneurs' expectations
- ◆ Drip-training (Train in bite-size pieces)
- ◆ Effective personal-branding training
 - Less “I love gardening & dogs”
 - More “Connect with me for this unique, relevant perspective”
- ◆ Platform-specific training on social media
 - Demographics of platforms
 - Most effective post practices
 - How to: create reels/get better engagement/analyze results
- ◆ Social media practices like Curiosity Posts + Add, Tag, Message
- ◆ Trainings that show HOW-to vs. psychology of WHY-this
- ◆ Trainings that acknowledge best practices are evolving more quickly due to consumer sophistication
- ◆ In-person Trainings – people still love gathering with those they enjoy being around
- ◆ Team retreats
- ◆ Apps that make customizing communication simple and quick
- ◆ Allowing Distributors, Customers and Prospects to “see themselves” represented in corporate-produced material
- ◆ Roadblock-free purchasing & joining through excellent e-commerce platforms
- ◆ Active team connections via social media
- ◆ Perks for attending annual conferences in-person



What's NOT Working in the Field

Despite some claims that “getting back to the basics of the channel” will reinvigorate growth, there are some former best practices that – when leaders double-down on them – drive away existing and prospective Distributors and Customers.

- ◆ Time-intensive commitments
 - Weekly team meetings
 - Annual conferences that are in-person only
 - Week-long Facebook parties
 - Hour-long Opportunity or Training Zooms
- ◆ Three-way calls as protocol for every prospect
- ◆ Commenting “Sent you a DM” to a curiosity-post responder
- ◆ Firehose/indiscriminate training—don't teach Day 21 Distributors about email lists
- ◆ “Dialing for Dollars” (common consumer practice is not answering unexpected calls)
- ◆ Corporate-produced social squares/videos that are product ads
- ◆ Any social post that looks/feels like it's selling something
- ◆ Weekly sales & promos—Distributors and Customers are recognizing they can wait for a deal
- ◆ Assuming experience gained by having a large organization = leadership skills





Best Practice Transitions

Sometimes a Best Practice experiences an evolution, rather than simply going away. Here are a few transitions that are getting improved results.

STANDARD	IMPROVED
<input checked="" type="checkbox"/> Long 3-way calls	<input checked="" type="checkbox"/> Convenience communications (messaging apps)
<input checked="" type="checkbox"/> Recognition on personal social media pages	<input checked="" type="checkbox"/> Recognition on corporate & team pages
<input checked="" type="checkbox"/> 10-12 months to earn incentive trips	<input checked="" type="checkbox"/> Shorter time frame for earning incentive-trips
<input checked="" type="checkbox"/> Incentive Trip once every 12-18 months	<input checked="" type="checkbox"/> More frequent incentive trips
<input checked="" type="checkbox"/> Websites that force potential unattached Customers/Distributors to choose a rep	<input checked="" type="checkbox"/> Assign an unattached Customer/Distributor after purchase/sign-up
<input checked="" type="checkbox"/> Forcing Distributors to "choose 1 DS company" to rank-up with	<input checked="" type="checkbox"/> "Platforming" only Distributors who don't publicly recruit for other DS companies*

*"Platforming" is featuring a Distributor as a speaker or trainer on any company platform—such as a Zoom, a training or any corporate event.

What Hasn't Changed

These necessities remain a constant for field members, even though delivery/methods have shifted:

- ◆ Mastering the mundane
- ◆ A DMO (Daily Method of Operation)
- ◆ Good customer acquisition process
- ◆ Understanding that all offers must be something in which the prospect has already expressed interest
- ◆ Effective follow-up
- ◆ Actually following up
- ◆ Personal & leadership skill development
- ◆ Integrity



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Getting Real with Tyler Whitehead

Tyler Whitehead has spent the past 20 years as a leader in the direct selling industry. In addition to his consulting work leading Enkrateia Strategies, his experience has included key C-level roles leading the development and deployment of beauty, skincare, nutrition and personal-care products and devices in the world's leading direct selling companies, including serving as CEO of Arbonne and president of Nu Skin Enterprises. Whitehead has also served as an active board member of the CEO Council, World Federation of Direct Selling Associations (WFDSA) and the Direct Selling Association (DSA).



Simplicity and Specialization: Enkrateia Strategies Advisor Discusses Modernizing Direct Selling

SSN: Can you tell us about your journey from CEO of Arbonne to founding Enkrateia Strategies?

Tyler Whitehead: My main focus and work while I was with Arbonne, and remains today, is focused on business model innovation. I loved my time at Arbonne working with shareholders and an amazing field of leaders to bring a fresh approach to a 45-year-old direct selling enterprise. The environment challenging direct selling has required updating and transformation at every level.

Rather than staying in a more traditional role within a heavily matrixed organization, I have been fortunate to serve in many C-suites across the industry. My focus continues to be to help develop a new blueprint—a model for what

the next 30 years of a modern direct selling enterprise should look like, and how we can successfully compete within the gig economy and embrace the digital marketing world, while retaining all of the personal, human connections that create so much value in our industry.

It's been an amazing experience leading during the past few years both inside and outside corporate direct selling environments. Many companies desire to fully embrace modern social selling networks and digital marketing approaches with a funnel orientation. They can frequently benefit from outside perspectives in that process. The current shifts in market dynamics have taken many companies out of their comfort zones, and it is rewarding working with both legacy and brand-new companies to support plans for growth.

SSN: What do you believe are the most pressing challenges facing direct selling companies today?

TW: I wrote a white paper that outlines the five domains of direct selling and how they've been disrupted over the past decade. It includes where customers are, how they achieve product awareness, work-from-home opportunities, and the increasing ubiquity and unlimited flow of information about complex products and direct-to-consumer deliveries.

What used to be a defensible market category for direct sales is now a highly competitive, "bloody ocean." For example, if the average person selling your products is only making \$4 or \$5 an hour while building some expe-

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rience with your products, when they could earn 5-10-times that, in excess of \$20 an hour working gig jobs or dare we say, even at Taco Bell, then you're not competitive financially. To attract and retain people, the basic time/value-of-money equation must be competitive. If not, your attraction models will suffer from pressure to engage in more simple, gig work.

In addition to reviewing the attraction mechanism and compensation at every level of participation, pressures are rising to address operational efficiency. One area of a lot of focus today is portfolio optimization. Many companies are only beginning to understand its significance on a thriving direct selling enterprise in today's brand-centric world. Evaluating the number of SKUs a company offers to focus on key hero products, while providing an overall consumption portfolio, can boost innovation into the right future launches. If you have 500 SKUs and only 12 are driving 90% of your business, you need to ask why you're offering the rest. The 80/20 rule certainly applies in spades here.

Finally, integrating digital tools in both B2B and B2C operations is critical, but it's an area where many companies have struggled. Despite massive capital investments in this space over the past eight to 10 years, the industry has yet to make significant strides toward being truly competitive in digital marketing, advertising and deployment of funnels that support the sales channel effectively. Working with key vendors that understand the direct selling space, your unique portfolio and digital capabilities as an enterprise are important metrics for success. Many of the leading companies I have worked with are more and more turning to outside of their companies for these services, tools and partnerships. The digital buy-vs.-build decisions are driving many conversations about where to invest.

SSN: As a consultant now, what hard truths do you think many companies in this space need to hear?

TW: One area I see is that brand building is a helpful focus. Modern brands are fluid, dynamic and singularly powerful, driven by viral sensations. Brands today can come and go more quickly, and large brands are trying to capture a share of wallet by selling everything from skin care and cosmetics to personal care, nutrition, and services. However, specialization has become more important, and companies have an opportunity to evaluate their portfolios more strategically. Instead of offering many products

“After 20-plus years in this industry, I still believe the No. 1 asset of any direct selling company is its field and its leaders.”

across categories to simply increase volume, they should be taking a more critical look and focusing on what they're particularly good at and what spaces they want to definitively be known as experts in. The goal should be to specialize and align the brand to meet the viral moments that more often become the drivers of today's market.

Another major challenge, potentially bigger than compensation plans or portfolio management, is digital marketing, and tools continue to be an area of priority. In spite of the massive investment I mentioned earlier, a lot of waste and misdirection continues. Many deployed tools either don't meet the needs of the sales channel, or they are just simply poorly developed or executed with respect to a company's particular set of needs. I know this is a challenge in every industry, however, it seems to be particularly vexing for direct selling companies. Direct selling companies operate in a B2B2C environment, but the tools typically available—whether from Google, Amazon, Instacart, or Shopify—are built first for B2C models and don't always fit off the shelf with direct selling models. The industry has been continuing to navigate this transition, trying to further develop tools that serve both the independent sales channel and the customer.

SSN: How do you see the role of social media and influencer marketing evolving within the direct selling model?

TW: Integrating an affiliate system into a culture or recruiting model—or even a product-centric model—often seems like it will be accretive at first look. The “affiliate” craze I think is over as many companies take a harder look at what they do well and how to integrate the right expansion into a more retail-oriented focus. Many attempts to add affiliate models are still works in progress, or end up being a distraction to the core competencies of the business. This happens because the culture, products and compensation model weren't originally designed for such an addition. When you try to bolt something onto an existing ecosystem without seamless integration or great

fit, it creates new complications. It can divide the company's energy, foster internal competition against duplication models, and even lead to cultural clashes on what behaviors should be taught and replicated. These conflicts can be difficult to manage, but they are now without value to pursue.

Many alternative gigs are attracting participants because they are so simple and appealing due to ease of use. The straightforward compensation models of affiliate plans—like knowing you'll get 15% for one clear behavior, 20% for another, and being able to calculate earnings based on sales is transparent and easy to understand. In many direct selling companies, compensation can be more rewarding for added behaviors like building a team but also much more complex for entry-level participants. Finding the right balance of rewards, transparency and simple behaviors can accelerate growth.

SSN: What will be the key to successful compensation plans in the next few years?

TW: The compensation plan needs to be what I envision as an inverted model. That model needs to be viewed from the bottom-up, flipped so that new entrants are compensated at competitive market rates, and ideally much better, to make the opportunity attractive against alternatives. Ease of entry and simple, focused plans with clear behaviors at each stage will win out.

A key factor is the need for a compensation plan evolution and continuing to create an attractive front-end structure that allows newcomers to succeed and earn fairly, and immediately for the time they put in. This is crucial because 80% to 90% of participants are part-time or early-stage participants. While many companies have installed daily and weekly pay to compete with other opportunities, the levels of compensation and complexity can still be simplified.

On the flip side, there's high value in the traditional model where leaders can work and build teams to sell more volumes of product, which

takes time—essentially relying on delayed gratification. While this should be attractive, and certainly a hallmark of traditional direct selling, it's challenging for companies to sustain if new participants are expecting instant rewards. These delayed gratifications benefits can be trained, but they must be balanced against attraction, immediate benefits and simple structures.

SSN: What advice would you give to direct selling companies looking to improve distributor retention and engagement?

TW: It's about simplicity—helping your new participants know exactly how they can be compensated, for which behaviors and activities, without extensive training or having to wade through pages of policies and procedures or marketing materials to get on board. It is all about ease of entry and smoothing that friction out. The goal is to make things straightforward and integrate that simplicity and focus into your existing organization without causing distractions or friction with the current known behaviors and culture.

The shift from the company being the brand to allowing affiliates, influencers, or independent contractors to become the brand themselves is also a new dynamic. These influencers and affiliates are more uniquely individual and frequently driving their own personal brands, and they need the flexibility to represent your brand alongside others—whether that's four brands or 40 if they have the audience and consumer reach.

This transition has been the topic of policy discussion for many direct selling companies. The C-suite must be willing to share the full picture—the good, the bad, and the ugly. Where I've seen issues arise is when companies withhold information to protect operational or profitability targets, fearing that the field might view it as a zero-sum game. Open, honest conversations within that partnership for all stakeholders are essential. Sharing the actual retention rates, customer purchasing rates and lifetime values are all great metrics to help field leaders and distributors focus on key metrics for success.

After 20-plus years in this industry, I still believe the No. 1 asset of any direct selling company is its field and its leaders. They are the source of value—whether that comes through creating sustained energy, optimism about future launches, sharing product innovation ideas, or building long-term relationships with

their customers, they are essential partners and the engine that makes a direct selling company thrive. No matter what aspect of the company you're looking at, the participants in direct selling are the true value creators.

SSN: What trends do you foresee shaping the future of direct selling in the next five to 10 years?

TW: Specialization of brands is a key trend in my view, along with personalization, which focuses on creating added value for truly personalized and specially targeted products. Personalization continues to gain traction, whether through DNA testing or custom formulations tailored not just to specific consumer types or demographics but to an individual's unique profile. I believe these are helpful trends and complement the unique value and personalized, human-to-human approach of direct selling. Ultimately, it is about building trusted relationships and a culture designed to attract, retain, and sustain customers.

Another important trend is open-source innovation and bringing in ideas from different industries—cross-platform research and competitive analysis for further customer acquisition and development of refined models of attraction.

Internally, along with the digital marketing and tools needed to grow, furthering the capabilities and sophistication of data management is becoming increasingly important. Absolutely nailing your metrics on how your business attracts and retains people, customers, and sales participants is increasingly critical to assess opportunities for growth and expansion. Having internal analysts and support from external resources that enable data-driven decisions rather than relying solely on input from sales, marketing, and field teams can help round out your data suites as well as taking the right actions based upon that information.

Overall, I think the trends towards more hybrid models, finding the right mix of products, brand focus, and compensation to drive customer acquisition and retention will create greater opportunity into the future. Many companies are well-positioned to bring elements of an affiliate-based front-end model into their companies. Others, organized around different behaviors, will be focused on increasing specialization or offering more premium products to support their core competencies around their culture and their



plans. Every company can benefit first from an internal assessment and then an environmental view of how to compete in today's dynamic marketplace and platform based environments. If I have any advice generally, simply identify and focus on what you do best. It's about self-confidence and your own identity—understand exactly what type of culture you want to sustain, what will help you achieve your objectives for creating an opportunity to share your products, and as a brand stay true to yourself, your teams, and your partners.

SSN

Tyler Whitehead was interviewed by David Bland on behalf of *Social Selling News*.

Periodically *Social Selling News* interviews a person connected to the social selling phenomenon, asking them to share their experience and insight into the channel.



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EXECUTIVE SEARCH COMPANIES

RANKED BY NUMBER OF DIRECT SELLING CLIENTS INVOICED IN PAST 12 MONTHS

Each month, *The Ranks* spotlights companies, people or trends that are important to the direct selling channel. This month, *The Ranks* lists executive search companies that work specifically in the direct selling realm, ranked by number of direct selling clients invoiced in the past 12 months. Companies with the same client count are listed in alphabetical order. *The Ranks* will vary monthly in type of information and in number of items included. *Ranks* data is not audited and relies on the good faith responses from participating companies.

RANK	COMPANY NAME & LOCATION	NUMBER OF CLIENTS INVOICED IN LAST 12 MONTHS	KEY CONTACT	REPRESENTATIVE CLIENTS	WEBSITE	CONTACT INFORMATION
<u>1</u>	Direct Sales Experts Inc. Orlando, FL	27	Craig A. Fleming	LiveWave XOXO Gina Merry Vital	DirectSalesExperts.com	407-489-3351 Craig@ DirectSalesExperts.com
<u>2</u>	Serendipity Executive Search Scottsdale, AZ	24	Kristina Swift	Juice Plus Nature's Sunshine Limelife	SerendipityExecutiveSearch.com	315-222-6623 Kristina.serendipity @gmail.com
<u>3</u>	Hanna Shea Executive Search Chandler, AZ	20	Sean Eggert	Epicure Bellame Green Compass	hannashea.com	844-344-7177 info@hannashea.com
<u>4</u>	C3 Executive Search VA and CA	8	Kate Gardner and Michele McDonough	Vorwerk/ Thermomix Healy World Mannatech	c3executivesearch.com	TX 214.908.7570 / CA 949.466.2707 kateandmichele@ c3executivesearch.com
<u>5</u>	Pam Anthony Recruitment Rawtenstall, Rossendale, Lancashire, UK	6	Pam Anthony	QN Europe Radial doTerra Europe	pamanthony-recruitment.co.uk	00-44-(0)1706 231354 Pam.anthony@ pamanthony- recruitment.co.uk



Sincere thanks and compliments to the **Social Selling News** staff for the quality and relevance of the information they consistently provide our industry. **Social Selling News is a valuable asset to our business.**



– **John Hollingshead**
Chairman
Liv International

EXECUTIVE SEARCH COMPANIES



Craig A. Fleming

Founder and CEO, Direct Sales Experts Inc.

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Kristina Swift

CEO / Owner, Serendipity Executive Search

serendipityexecutivesearch.com

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— WHAT'S NEW ▶▶

Federal Judge Upholds Challenge to FTC's Non-Compete Ban

On Aug. 20, Judge Ada Brown of the U.S. District Court for the Northern District of Texas blocked the Federal Trade Commission's (FTC) rule banning non-compete agreements nationwide, following the agency's actions in *Ryan LLC v. FTC*. Such a law would have prevented companies from restricting workers' ability to work with rival companies after their current employer contract ended. Brown had temporarily blocked the rule in July, stating that the FTC lacked the authority to issue such a substantive rule and that it was "arbitrary and capricious." She also supported concerns by business groups that the rule was taking a "one-size-fits-all approach with no end date." The Rule was to take effect on Sept. 4 and had been approved in April but received pushback from Ryan soon after. In April, the FTC had stated the ban was put in place to protect "the fundamental freedom of workers to change jobs, increasing innovation, and fostering new business formation." Right now, the FTC may continue to prohibit noncompetes or deliver enforcement actions on a case-by-case basis.

Avon Products Inc. Files for Voluntary Chapter 11 Bankruptcy

Avon Products Inc., the non-operational holding company of the Avon beauty brand, has initiated voluntary Chapter 11 proceedings in the U.S. Bankruptcy Court for the District of Delaware to address its debt and legacy talc liabilities. Avon Products has not sold goods within the U.S. since it divested its North American business in 2016 but continues to be the holding company for the brand's non-U.S. operating entities. Avon's businesses that operate outside the U.S. are not part of the Chapter 11 proceedings, and they will carry on with business as usual in Avon's international markets. Brazil-based **Natura & Co.**, which acquired **Avon** in 2020, has agreed to purchase the equity interests in Avon's non-U.S. operations for \$125 million in the form of a credit bid, subject to a court-supervised auction process. Additionally, **The Avon Co.**, which is the Avon business operating in North America and owned by **LG Household & Health Care Ltd.**, is not affiliated with any of the other Avon entities and is also not part of the Chapter 11 proceedings.

DSA Canada Awards \$16,000 to 2024 Scholarship Winners

The **Direct Sellers Association of Canada (DSA Canada)** has awarded scholarships totalling \$16,000 to four Canadian college students. The organization established the annual scholarship program to assist students connected to the direct selling industry with funding for educational opportunities. 2024 scholarship award recipients include Diana Trujnikova, University of Calgary, who is working on a bachelor's in city innovation. She has been influenced by her parents' roles as long-standing Amway consultants. Ethan Dart, University of British Columbia, is pursuing engineering. His mother has a successful direct selling career with Arbonne. Gabrielle Funk, Concordia University, is working towards a master's in art therapy. She was inspired by her mother's journey with Mary Kay Cosmetics. And Steven Ilijanich, University of Windsor, is earning a bachelor's in education. He is a direct seller for CUTCO/Vector Marketing. The **Direct Selling Education Foundation (DSEF)**, DSA Canada's charitable organization has supported this initiative since 2012 and awarded over \$146,000 in academic grants to post-secondary students across Canada.

Modere Brings Business to Polish Market

Spurred by its strategic growth plan, **Modere** has brought its business opportunity to the Polish market, offering "safe, effective and sustainable products to consumers around the world." The company plans to hold a launch event at the Moxo in Warsaw and officially open in the country on Sept. 15. Using a "customer-centric social retail business model" is anticipated to match the needs in Poland with daily commission payments, according to Ellie Fordham, senior director business development of Modere Europe. Additionally, Sara Widell, newly hired sales director of the Poland business, shared that she is "confident that the exceptional quality and effectiveness of our products, combined with the flexibility of our modern business model, will resonate powerfully with our Polish partners and their customers." Modere is an omnichannel, consumer goods company that develops and markets clean, health, and wellness products using e-commerce as well as direct-to-consumer.

In Memoriam: Direct Selling Leader Jim Northrop

Jim Northrop, 2012 recipient of the DSEF Circle of Honor Award and former **Immunotec** president and CEO, passed away in early August. Known as a champion for direct selling, Northrop was "a leader and a gentleman whose service helped shape the channel we know today," according to Joseph Mariano, president of the **Direct Selling Association (DSA)**. Most recently, Northrop was principal of Winfield Consulting, an organization that provides strategic support to direct selling companies. Northrop also served as chair of the DSA as well as the **Direct Selling Education Foundation (DSEF)** Academic Committee. Additionally, he was a member of the board of directors for the DSA and the DSEF and served as chairman and CEO of **Princess House** from 1994 to 2006. A mentor and friend to Immunotec CEO Mauricio Domenzain, the current company leader stated, "Jim was a man of integrity and kindness. His mentorship and friendship were invaluable. ... Jim's legacy will continue to live on through the values he instilled in us and the countless lives he touched."

— THE SUPPORTERS ▶▶

MEET OUR PARTNERS

Below is a listing of all of the suppliers who placed display advertising in this month's issue. We are grateful for their participation and support in bringing news and information to the social selling channel.

EXIGO.....	02	MOMENTUM FACTOR.....	12,17	JENKON.....	31
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		HANNA SHEA.....	27		

People on the Move



SARA DAVIES, AVON U.K.

Avon U.K. has appointed entrepreneur **Sara Davies** as chief inspiration officer. Founder of Crafter's Companion and an investor on BBC's "Dragons' Den," Davies will host masterclasses and coaching sessions for Avon representatives to support them in starting and growing their own Avon businesses.



PERKINS MILLER, HERBALIFE

E-commerce and media technology executive **Perkins Miller** has joined Herbalife's board of directors. Miller is CEO of Fandom, the world's largest fan platform. Through his leadership, the brand has transformed into an entertainment tech company. He has previously served in leadership roles at Stubhub, the NFL, and NBC.



JAMES CLAVIJO, MANNATECH

Mannatech Inc. has named **James Clavijo** as chief financial officer. Clavijo has more than 25 years of experience as an executive in finance and accounting having worked within the biotech, medical technology, and pharmaceutical industries. Clavijo also served as an officer in the U.S. Army for 13 years in active and reserve duty.



DR. PARAG SINGHAL, HERBALIFE INDIA

Herbalife India has added **Dr. Parag Singhal** to its global Nutrition Advisory Board. Dr. Singhal is a consultant physician at the Nuffield Health hospital in Taunton as well as Bristol, in addition to The Chesterfield Clinic in the U.K. He specializes in endocrinology and metabolic medicine with a focus on diabetes.



DONALD CHERRY, EXP REALTY

Donald Cherry has joined **eXp Realty** as vice president of sustainability. He spent almost 20 years at **USANA Health Sciences** and was most recently executive director of corporate sustainability there. Now, Cherry will lead the development of a comprehensive sustainability program at eXp Realty.



OLGA BOTERO, BEFRA

BeFra, formerly **Betterware de Mexico**, has appointed **Olga Botero** as an independent director of its board. With over 20 years in digital, technology, and cybersecurity, Botero has worked in financial services, technology and telecommunications. She is founder and chair of SECCURI and founder and CEO of C&S Customers and Strategy.



TROY PALMQUIST, EXP REALTY

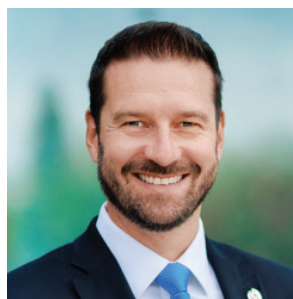
Troy Palmquist has been named vice president of growth and product marketing at **eXp Realty**. Palmquist joined eXp Realty in 2023 as director of growth for California with a background in real estate marketing and brokerage development. He will now develop marketing strategies for attracting and retaining top real estate agents.



PATRICK BACHER, PM-INTERNATIONAL

PM-International has named **Patrick Bacher** as CEO Headquarter Europe. Most recently CSO and COO, Bacher is a founding member of PM-International and has been with it for 31 years. Leading daily operations, he guided expansion in Germany and helped to establish PM-International's Logistic Center Europe.

People on the Move



SASCHA GAMPER, PM-INTERNATIONAL

Sascha Gamper will succeed Patrick Bacher as chief sales operations officer Europe for **PM-International**. Previously general manager sales South Europe, Gamper has been with the company for nearly 20 years, working toward building experience and learning leadership skills within sales and operations.



RUBEN PEREZ, INGROUP INTL.

InGroup International has hired **Ruben Perez** as an external consultant. A cruise industry expert, Perez has more than 40 years of experience at Costa Cruise Lines, a subsidiary of Carnival Corp. As general manager, he helped drive enhancements for the customer experience, improve operational efficiency and increase revenue growth.



ADRIEN RINCHEVAL, PM-INTERNATIONAL

Adrien Rincheval has been promoted to junior CSO Europe for **PM-International**. Previously serving as regional general manager sales, Rincheval has worked in sales as well as with distributors and learned company procedures. He was also integral in helping the company in Western Europe.



JEFF WHITTLE, REGAL WARE

Regal Ware Inc. has appointed **Jeff Whittle** to its board of directors. With a background as an EOS Implementer, Whittle brings over 15 years of legal practice experience and 20 years of leadership in various industries. As former CEO of Royal Seating, he led the company through scaling operations in North America.



PRAJITH PAVITHRAN, DXN HOLDINGS

DXN Holdings has promoted **Prajith Pavithran** to CEO of the company. Most recently chief marketing officer, Pavithran joined the company in 2001 as a sales and training executive. He has managed operations in India, the Philippines, and Mexico, and served as country manager of DXN Mexico and regional manager of Latin America.



GENE WINDFELDT, REGAL WARE

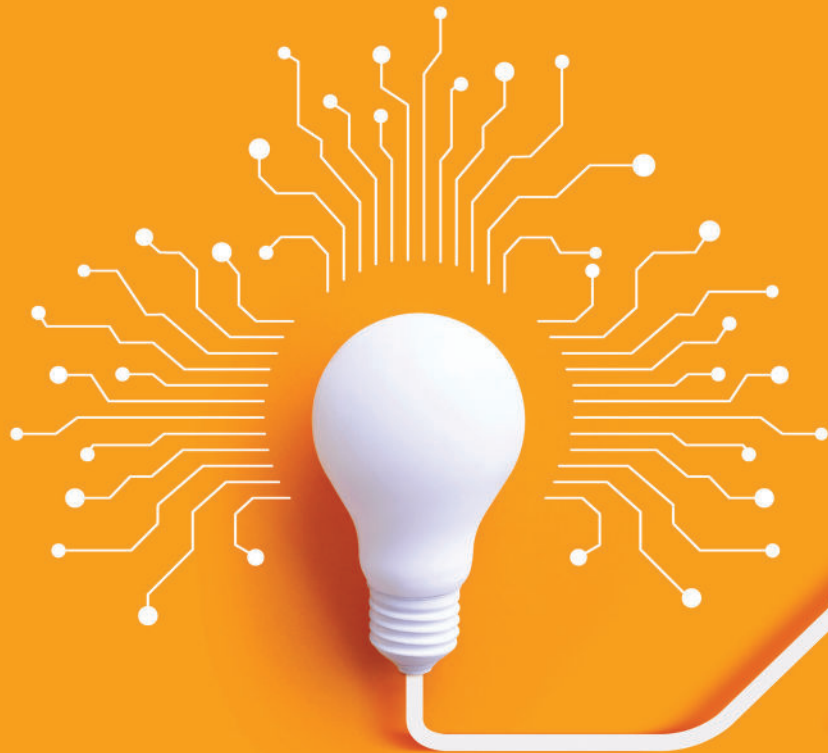
Gene Windfeldt has joined the **Regal Ware Inc.** board of directors. Windfeldt is the retired president and CEO of **The Kirby Co.** and has a long history in entrepreneurship, having also founded Preferred Credit Inc. He has extensive board experience in finance, health and environmental organizations as well.

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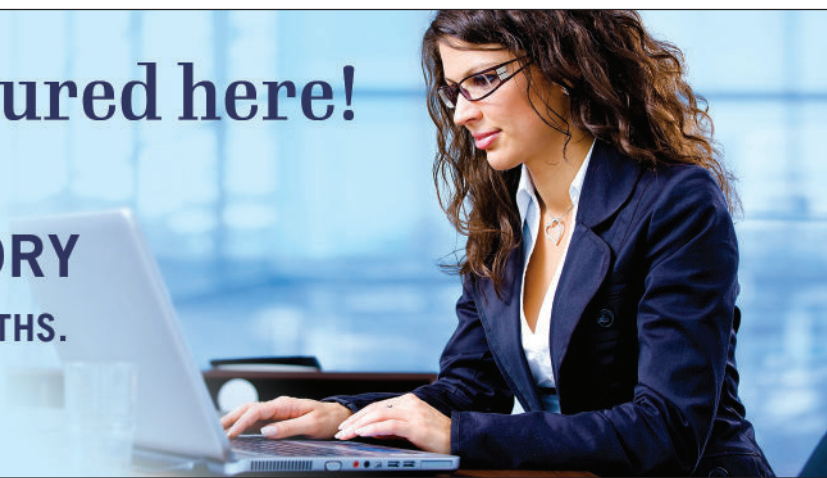
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