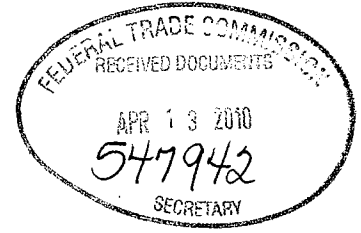


ORIGINAL

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION



COMMISSIONERS: Jon Leibowitz, Chairman  
Pamela Jones Harbour  
William E. Kovacic  
J. Thomas Rosch

\_\_\_\_\_  
)  
In the Matter of )  
DANIEL CHAPTER ONE, )  
a corporation, and )  
)  
JAMES FEIJO, )  
individually, and as an officer of )  
Daniel Chapter One. )  
\_\_\_\_\_ )

Docket No. 9329

PUBLIC DOCUMENT

**RESPONDENTS' MOTION FOR EXTENSION OF TIME  
TO FULLY COMPLY WITH PARAGRAPH V.A OF MODIFIED FINAL ORDER**

Pursuant to Commission Rule of Practice 3.22, Respondents move for an Order extending by fourteen days the time within which they must fully comply with Paragraph V.A of the Modified Final Order issued herein on January 25, 2010.

For reasons therefor, Respondents state as follows:

(1) Paragraph V.A of the Order requires Respondents to produce by April 13, 2010, a list of all of their customers, from January 1, 2005 to April 2, 2010, who purchased one or more of the four Challenged Products from Respondents.

(2) On April 13, 2010, Respondents have produced such a list of all of such customers for the period beginning with April 1, 2009 and ending on April 9, 2010.

(3) To date, Respondents have spent dozens of hours, over the course of several days, and have received the assistance of a number of volunteer workers, in an effort to retrieve the required information and to generate the required report.

(4) Due to the fact that the Respondents' computer software's predefined reporting capability did not include the kind of report required by Paragraph V.A, Respondents have been required manually to retrieve the necessary information, and then manually create a report that includes all such required information.

(5) Despite making diligent efforts to produce the required information for the entire reporting period, Respondents have encountered difficulty in retrieving such information, reviewing it (*e.g.*, eliminating duplication), and organizing it into a format that can be understandably presented.

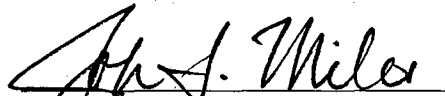
(6) Unexpected problems occurred in attempting to retrieve the records maintained by Respondents on their computer system, which relate to the manner in which the records have been stored and maintained. To date, Respondents have not used customer lists for any purpose, and their records relating to customers have not been maintained in a way that is conducive to producing them quickly or in a useable format. For example, what might seem a simple task — listing a customer's name and address — is a three-step process under Respondents' current system, whereby each element of the customer's address (*i.e.*, street number and city/state/zip) must be put together manually to create a single entry. And then each name must be checked against other parts of the list for duplication.

(7) Respondents believe that the customer/purchaser list for the entire five-year period demanded by Paragraph V.A of the Modified Final Order can be prepared and delivered to the Federal Trade Commission within two weeks' time. In addition to continuing their work to complete the list by their present methods, Respondents are attempting to locate software that would assist in accomplishing the task. A computer software program has tentatively been

identified which, when obtained and installed, is expected to automatically retrieve the required information in a useable format, which should assist significantly in producing the balance of the report required by Paragraph V.A of the Order.

WHEREFORE, Respondents pray that their motion be granted and that the Commission enter an Order extending by two weeks, or fourteen days, the time within which Respondents may submit the complete customer list required by Paragraph V.A of the Modified Final Order herein, which would require Respondents to submit the said customer list on or before April 27, 2010.

Respectfully submitted,



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April 13, 2010

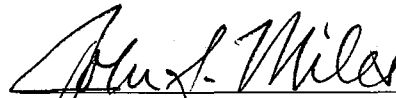




Courtesy Copy:

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