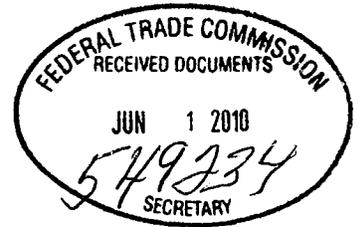


**danielchapterone**<sup>®</sup>  
*founder of biomolecular nutrition*<sup>™</sup>



May 28, 2010  
Via Federal Express



Secretary  
Federal Trade Commission  
600 Pennsylvania Ave, N.W.  
Washington, DC 20580

Re: In the Matter of Daniel Chapter One and James Feijo, FTC Docket No. 9329:  
60-Day Report Required by Modified Final Order, Part X

Dear Mr. Secretary:

The Commission's Modified Final Order ("Order") issued on January 26, 2010 in the above-entitled matter became final and effective on April 2, 2010. Part X of that report states:

Respondents shall, within sixty (60) days after [such] final and effective date of this order, and at such other times as the Federal Trade Commission may require, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

This timely-submitted document constitutes the above-referenced sixty-day compliance report.

**1. Part II.**

Since April 2, 2010, Respondents have not made any representations that any Daniel Chapter One ("DCO") program, service, or product "prevents, treats, or cures, or assists in the prevention, treatment, or cure of any type of tumor or cancer," as proscribed in Part II of the Order. To that end —

- Respondents removed from the DCO official website ([www.danielchapterone.com](http://www.danielchapterone.com)), and the DCO e-Mail any and all advertisements (*see* Order Part I.D) that any health-related program, service, or product prevents, treats, cures or assists in the prevention, treatment, or cure of any type of tumor or cancer, including but not limited to, BioShark, 7 Herb Formula, GDU, and BioMixx.
- Respondents withdrew from circulation, distribution, and public display any and all such advertisements relating to tumor or cancer contained in any and all written publications, including DCO's BioGuide, Cancer Newsletter, and The Most Simple Guide Book.

- Respondents changed the title of their daily radio program from “Daniel Chapter One Health Watch” to “Daniel Chapter One Censored” and, from that date to the present, neither James Feijo nor any other DCO agent or representative, to the best of the undersigned’s knowledge, has made any representation in or affecting commerce that any DCO program, service or product prevents, treats, cures or assists in the prevention, treatment, or cure of any type of tumor or cancer.

## **2. Part III.**

Since April 2, 2010, Respondents have not made any representation “about the efficacy, performance, or health-related benefits” of any DCO program, service, or product, as proscribed in Part III of the Order. To that end —

- Respondents removed from the DCO official website ([www.danielchapterone.com](http://www.danielchapterone.com)), and the DCO e-Mall any and all advertisements (*see* Order, Part I.D) about the “efficacy, performance, or health-related benefits” of any DCO program, service or product.
- Respondents withdrew from circulation, distribution and public display any and all such health-related benefit advertisements contained in any and all written publications, including DCO’s BioGuide, Cancer Newsletter, and The Most Simple Guide Book.
- Respondents changed the title of their daily radio program from “Daniel Chapter One Health Watch” to “Daniel Chapter One Censored” and, from that date to the present, neither James Feijo nor any other DCO agent or representative, to the best of the undersigned’s knowledge, has made any representation in or affecting commerce about the efficacy, performance or health-related benefit of any DCO program, service or product.

## **3. Part V.**

### **A. Required Consumer List.**

Paragraph A of Part V provides that on April 13, 2010, Respondents shall have delivered to the Commission a list, “in the form of an affidavit,” of all consumers who purchased BioShark, 7 Herb Formula, GDU, and/or BioMixx, during the period from January 1, 2005 to April 2, 2010, the effective date of the Order. Respondents delivered the required list to the Commission in the following manner:

- On April 13, 2010, and by sworn declaration, Respondents transmitted to the FTC Enforcement Division a list of such purchasers for the period from April 1, 2009, through and including April 9, 2010.

- On the same date, Respondents filed with the Commission a motion for extension of time to April 27, 2010, in which to submit the remainder of the list required by the Order.
- On April 26, 2010, the Commission denied Respondents' motion for an extension of time indicating, however, that it would take no action if Respondents submitted the balance of the customer list by April 27, 2010.
- On April 26, 2010, and by sworn declaration, Respondents transmitted to the FTC Enforcement Division a list of such purchasers for the period from January 1, 2005, to March 31, 2009.
- On May 3, 2010, after Respondents were notified by the FTC Enforcement Division that the list of purchasers for one of the named dietary supplements appeared to be incomplete, Respondents transmitted to the FTC Enforcement Division the required information concerning the purchasers that had been inadvertently omitted from the April 26, 2010 transmission because of a computer printing error.

#### **B. Required Letters.**

According to Paragraph B of Part V of the Order, on or about May 19, 2010 (forty-five days after April 2, 2010, the final and effective date of the Order), Respondents are required to send by first-class mail, postage prepaid, an exact copy of the notice attached as Attachment A to all persons identified in the customer list required by Paragraph A of Part V.

On April 22, 2010, pursuant to their Petition for Review pending in the United States Court of Appeals for the District of Columbia, Respondents filed a motion for an evidentiary hearing, in part, in support of their claim that forced compliance with this Paragraph B would substantially burden Respondents' free exercise of religion in violation of 42 U.S.C. section 2000bb-1(a), the Religious Freedom Restoration Act ("RFRA").

To comply with Paragraph B of Part V within the time frame provided by the Order would irretrievably harm Respondents, leaving them without any adequate remedy for such harm should Respondents prevail in the court of appeals.

#### **C. Prohibited Uses.**

To the best of the undersigned's knowledge, neither Respondents nor the persons otherwise identified in Paragraph C of Part V of the Order have sold, rented, leased, transferred, or otherwise disclosed the name, address, telephone number, credit card number, bank account number, e-mail address, or other identifying information of any person who paid any money to any Respondent at any time up to, and including April 2, 2010, the date the Order became final and effective, in connection with the purchase of BioShark, 7 Herb Formula, GDU, and/or BioMixx, except for having disclosed the name, address, and telephone number of such

purchasers during the period from January 1, 2005 through April 2, 2010, as permitted by the exception provided for in the subparagraph and as answered in Paragraph A of Part V, above.

**4. Part VI.**

As of the date of this Report, and since the effective date of the Order, Respondents have made no representations "covered" by the Order.

**5. Part VII.**

Within the thirty-day period after April 2, 2010, the final and effective date of the Order, Respondents delivered a copy of the Order to all of the persons having the titles and /or duties, as set forth in Part VII of the Order, and have secured from such persons the requisite written acknowledgment of receipt and placed such acknowledgments on file. Additionally, Respondents have in place a policy and procedure to deliver a copy of the Order to any such future personnel and to obtain the requisite receipt acknowledgment.

**6. Part VIII.**

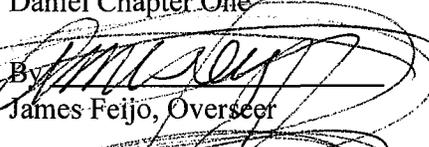
Respondent Feijo has taken no action requiring any notification as provided for in Part VIII of the Order.

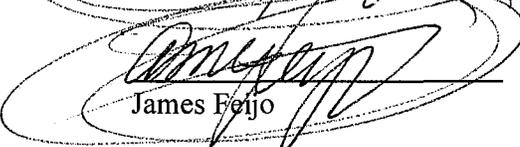
**7. Part IX.**

No change has occurred in DCO's corporate status that would necessitate any report as provided for in Part IX of the Order.

Respectfully submitted,

Daniel Chapter One

By   
James Feijo, Overseer

  
James Feijo

cc: Kristin Williams, Esquire  
Federal Trade Commission  
BCP Division of Enforcement  
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Washington, DC 20580

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