

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

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

_____)	
_____)	
In the Matter of)	
DANIEL CHAPTER ONE,)	DOCKET NO. 9329
a corporation, and)	
)	
JAMES FEIJO,)	PUBLIC DOCUMENT
individually, and as an officer of)	
Daniel Chapter One.)	
)	
)	
_____)	

**RESPONDENTS' APPLICATION FOR STAY OF MODIFIED FINAL ORDER
PENDING JUDICIAL REVIEW**

The Respondents, pursuant to 15 U.S.C. section 45(g)(2)(A) and section 3.56(b) of the Rules of Practice of the Federal Trade Commission ("FTC"), 16 C.F.R. section 3.56(b), respectfully apply to the Commission for a stay of the Modified Final Order ("Order") issued on January 25, 2010 and served on January 29, 2009, in the above-entitled matter, pending judicial review by a United States court of appeals in an appropriate federal judicial circuit.

For reasons therefor, Respondents submit: (i) that their arguments for overturning the Order on appeal are likely to succeed on the merits or, alternatively, are substantially meritorious; (ii) that the injuries to Respondents if enforcement of the Order were not stayed would be irreparable; (iii) that no party or the public would be injured by the granting of the requested stay; and (iv) that a stay of the Order would be in the public interest, all as more fully set forth in the attached Memorandum of Law in support of this Application, together

with the Declarations of James Fiejjo, Patricia Feijo, Deane Mink, D.C., Karen S. Orr, D.C., Charles Sizemore, D.D.S., and Jerry Hughes.

WHEREFORE, Respondents pray that their Application be granted, and that the Commission enter an Order staying enforcement of the Modified Final Order herein until the later of the following — the expiration of the time for filing a petition for review of the Modified Final Order in a United States court of appeals, the issuance of a final order regarding Respondents' petition for review, the denial of a petition for panel rehearing, the denial of a petition for rehearing *en banc*, or the expiration of the time for filing such petitions for rehearing, the denial of a petition for certiorari in the United States Supreme Court, or the expiration of time to file such petition.

Respectfully submitted,

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