

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-1064

September Term 2009

FTC-9329

Filed On: July 6, 2010

Daniel Chapter One, a corporate sole and
James Feijo, individually, and as officer of
Daniel Chapter One,

Petitioners

v.

Federal Trade Commission,

Respondent

BEFORE: Tatel, Griffith, and Kavanaugh, Circuit Judges

ORDER

Upon consideration of the motion for leave to adduce additional evidence, the opposition thereto, and the reply, it is

ORDERED that the motion be denied. The FTC's factual findings, if supported by evidence, are conclusive. 15 U.S.C. § 45(c). If the court determines that additional evidence is necessary, it may order that such evidence be taken "before the Commission." *Id.* The court generally lacks authority to conduct its own factual hearing on review of an agency's decision. See Camp v. Pitts, 411 U.S. 138 (1973).

Per Curiam