

UNITED STATES OF AMERICA

J. Thomas Rosch

In the Matter of

**MARY T. SPOHN,
individually and doing business
as Herbs for Cancer.**

DOCKET NO. 9331

NOTICE

The Federal Trade Commission issued the Administrative Complaint in this matter on September 16, 2008, and it was served upon the Respondent, Mary T. Spohn, on September 23, 2008. On November 5, 2008, Administrative Law Judge D. Michael Chappell issued an Order on Default Judgment and Initial Decision. Judge Chappell stated that the Respondent had “failed to file an answer, motion, or any other response, request or pleading;” accordingly found the Respondent to be in default; and entered his Initial Decision. Initial Decision at 2. The Initial Decision was served upon the Respondent on November 13, 2008.

Commission Rule 3.51(a), 16 C.F.R. § 3.51(a) (2009), provides that if a notice of appeal from an initial decision is not filed, the initial decision shall become the decision of the Commission on the thirtieth day after service. No notice of appeal from the Initial Decision was filed, and the Initial Decision therefore became the Decision of the Commission on December 15, 2008. Section 5(c) of the Federal Trade Commission Act, 15 U.S.C. § 45(c), provides that a petition for review of a Commission order to cease and desist must be filed with an appropriate Court of Appeals “within sixty days from the date of the service of such order.” The Respondent has not filed such a petition, and the deadline for filing such a petition has now passed. The Decision of the Commission has therefore now become final -- pursuant to Section 5(g)(1) of the FTC Act, 15 U.S.C. § 45(g)(1) -- and effective, pursuant to Commission Rule 3.56(a), 16 C.F.R. § 3.56(a) (2009).

Donald S. Clark
Secretary

Issued: April 3, 2009