

agents to determine which would be the most effective for a particular patient. I have learned that conventional cancer therapies target just the cancer and are, at the very best, uncertain. Radiation and chemotherapy are based on an ancient method of treating tumors by means of escharotics; something that burns. These treatments are known to be highly toxic, as Dr. Dennis Miller acknowledged in his testimony in this case before the Administrative Law Judge, and often cause irreversible organ damage. Tr. 1/221-22. Chemotherapy and radiation severely deplete the immune system -- the opposite of alternative methods. Conventional cancer treatments are themselves carcinogenic, and can lead to secondary cancers, according to ACI Oncology textbooks.

4. I also have spent years studying alternative approaches to cancer treatment. Tr. 2/346-8. Through study and experience, I came to believe that, among the many ways to care for persons with cancer, the most safe and ultimately the most effective, in terms of health and well-being of the patient, were those methods that support and strengthen the immune system. I also believe that God created in our bodies enormous capability to fight off disease, and that if toxins and other assaults on the body are minimized, nutrition is improved, and God-given herbal and natural remedies are employed, people achieve optimal results. Of course, no protocol works always for everyone who is sick. God is sovereign and in control.

5. Additionally, I have studied classical homeopathy since the 1980's. I graduated from the New England School of Homeopathy in 1993, and have done advanced studies thereafter. Tr. 2/334. In 2007, I completed a Fellowship in Advanced Case Management and am presently in a Ph.D. program under Luc De Schepper, M.D. I have practiced homeopathy under the auspices of DCO for the past 17 years. See Tr. 2/324. Homeopathy uses dilute forms of

substances found in nature to trigger the body to cure itself. It is based on the work of Samuel Christian Hahnemann M.D. (1755-1843) and is used in many places throughout the world.

Homeopathy is recognized as a complete system of medicine and is nontoxic.

B. Why People Come to DCO.

6. The overwhelming percentage of people who have turned to DCO for information and our products in dealing with cancer have already tried conventional cancer approaches, and these approaches have not worked, and they have been sent home by medical and radiation oncologists to die. Tr. 2/364-65. If the DCO order goes into effect, these people will be deprived of DCO's information and products which have been demonstrated to be helpful to many in achieving a better quality of life, and, in many cases, unleashing the healing power that God placed in the human body when we were created. By way of illustration, two of the people who came to testify for DCO at the hearing — Ernie Jensen and Traci Kulikowski — had literally been “sent home to die,” but they were healed using God-given herbs and nutrients. They and many others would be kept from such life-saving information and products by the Order, and would be denied the right to make up their own minds about their treatment.

7. Other people have come to DCO because they have been unable to tolerate the toxic effect of chemotherapy and radiation. Some people are so sensitive to chemicals that they cannot even be in the same room with people wearing perfume, and cannot tolerate the current conventional treatment regimes. These people would be deprived by the Order of some of the only alternatives available to support their body to deal with cancer.

8. Finally, some people have come to DCO because they know the problems with the safety and efficacy of chemotherapy and radiation, and/or have been led by the Spirit of God

away from chemotherapy and radiation, and sometimes surgery, to find alternative approaches to heal their cancer that are supportive of good health.

9. In the history of DCO, I have yet to hear of a person we have helped educate about health issues and provided products to, who has told us that our advice led to their harm. DCO has received hundreds of expressions of thanks for its work, but, to my knowledge, no complaints. I know of no complaints that have been filed with the FTC, and understand that there were none that led to its action against DCO. Lastly, I attended the entire hearing before the FTC Administrative Law Judge and heard no testimony from anyone that they were hurt by the work of DCO. According to Scripture, the civil government should commend, not punish, good works. Romans 13:3-4.

10. DCO seeks to educate people so they can make informed healthcare decisions for themselves. DCO never pressures anyone to follow any particular course; rather, we encourage everyone to seek and do God's will. Conventional cancer therapy is often urged upon patients by evoking "fear" to begin treatment immediately, even with slow-growing cancers. But "God hath not given us the spirit of fear; but of power, and of love, and of a sound mind." 2 Timothy 1:7.

C. Modern Medicine Is Not Omniscient and Cannot even be Trusted to Always Seek Objective Scientific Truth.

11. David H. Newman, M.D. writes about the danger of patients yielding to physicians the power to make medical decisions for them, particularly in a world where there are real limits to scientific knowledge.

The **patient's abdication** to the forces of modern medicine and technology is often undertaken with a **false impression that there is a high potential for cure**, or that his physician possesses a detailed understanding of the pathways of his ailment. The truth is that in many cases, given the **limits of our science**, we don't. This

reality only highlights **the importance of patient opinions, views, and desires**. Physicians are only, after all, **consultants** to the health of others.... [W]hen a doctor says, “I don’t know,” it is rarely a sign of weakness or ignorance. More often it’s a sign of a physician who knows and appreciates the **limits of our science** and is willing to be **a partner**. [Hippocrates’ Shadow, Scribner (2008), p. 17.]

12. Pharmaceutical manufacturers, surgeons, medical oncologists, and radiation oncologists are not neutral scientific observers of modern cancer-treatments. They make their living from ordering and administering expensive treatments. Former National Academy of Sciences epidemiologist Devra Davis gives illustrations of how “many of the leading figures in the war on cancer profited both from producing cancer-causing chemicals and from producing anti-cancer drugs.” Devra Davis, The Secret History of the War on Cancer, Basic Books (2007), p. 11. FTC Expert Witness Dr Miller was quite candid when at the hearing he said of the chemotherapy studies he manages: “you set your statistical design so that you power the study **to prove your point**.” Tr. 1/76 (emphasis added).

13. In an interview with cancer-survivor and alternative medicine supporter Suzanne Somers, former Sloan-Kettering Cancer Center employee Ralph Moss, Ph.D., explained how remedies which cannot be patented are not approved by the FDA.

[I]n the thirty-five years that I’ve been studying the situation, the FDA has never approved any nontoxic drug, herb, vitamin, or anything like that for cancer. The rule seems to be that nothing of a nonpatented, less profitable nature gets through the FDA system. The only things that get through are these synthetic patented agents that are generally very toxic and ineffective. They are so ineffective that the FDA keeps lowering the bar and allowing things to be approved on lower and lower standards of effectiveness and lower and lower standards of safety. [Suzanne Somers, Knockout, Crown Publishers (2009), p. 46.]

14. Generally, modern medicine circles the wagons, and trains physicians how to deny evidence of patient improvement from alternative therapies. In a section entitled “When families

seek ‘quack’ methods of cancer therapy,” The Manual of Clinical Oncology instructs physicians as follows:

Patients and their families often become desperate, and willing to try anything. They often fear conventional cancer therapies and may become convinced that the “medical establishment” is depriving them of a cure. Patients easily fall prey to **quacks who may even be licensed physicians....** The physician should ... state in advance that **he or she will not accept that any improvement in the patient’s condition results from the unacceptable modes of therapy....**

- a. Explain that increased morbidity occurs without competent, comprehensive medical supervision.
- b. Point out the excessive costs involved.
- c. Explain the reasons positive results occur with ineffective agents.
 - (1) A small percentage of many tumor types regress spontaneously....
 - (2) Patients who are “cured” by unproved methods often do not have cancer at all....
 - (3) The disappearance of reversible, nonmalignant disease can look like a cancer response....

The physician should acknowledge that although the legitimate medical profession does not have all the answers, this does not imply that someone else does.” [(Dennis A. Casiato, M.D., and Barry B. Lowitz, M.C. eds., The Manual of Clinical Oncology, Lippincott Williams & Wilkins, 4th ed.), p. 128.]

15. Robert S. Mendelsohn, M.D. exposes the underpinnings of modern medicine.

[T]he doctor-patient relationship is based on something other than knowledge. *It’s based on faith.*

We don’t say we know our doctors are good, we say we have *faith* in them. We *trust* them....

Modern Medicine can’t survive without our faith, because Modern Medicine is neither an art nor science. It’s a religion....

You can easily test modern medical religion on this characteristic by simply asking your doctor *why?* enough times ... and sooner or later you’ll reach the Chasm of Faith. Your doctor will retreat into the fact that you have no way of knowing or understanding all the wonders he has at his command. *Just trust me.* [Robert S. Mendelsohn, M.D., Confessions of a Medical Heretic (1979), pp. xii-xiii.]

Similarly, the FTC expert witness Dr. Miller said in his testimony against DCO that as a cancer patient he would opt for what he is told, and “believe and have faith in his physician.” Tr. 1/227.

According to Scripture, it can be idolatry to put one’s trust in man, and not in God. In 2

Chronicles 16:12, King Asa died after he “was diseased in his feet, until his disease was exceeding great: yet in his disease he sought not to the LORD, but to the physicians.”

16. In the field of climatology, the American people have been recently treated to an illustration of how science can work.

Scientists sometimes like to portray what they do as divorced from the everyday jealousies, rivalries and tribalism of human relationships. What makes science special is that data and results that can be replicated are what matters and the scientific truth will come out in the end.

But a close reading of the emails hacked from the University of East Anglia in November **exposes the real process of everyday science** in lurid detail.

Many of the emails reveal strenuous efforts by the mainstream climate scientists to do what outside observers would regard as **censoring their critics**. And the correspondence raises **awkward questions about the effectiveness of peer review** — the supposed gold standard of scientific merit....” [Fred Pearce, “Climate Change Emails Between Scientists Reveal Flaws in Peer Review,” The Guardian, February 2, 2010.¹]

17. Recent revelations in the New York Times about supposed medical science and its reporting in peer-reviewed journals show that physicians demonstrate similar weaknesses.

Six of the top medical journals published a significant number of articles in 2008 that were written by ghostwriters, according to a study released Thursday by editors of The Journal of the American Medical Association.....

In the scientific literature, ghostwriting usually refers to medical writers, often sponsored by a drug or medical device company, who make major research or writing contributions to articles published under the names of academic authors.

The concern, the researchers said, is that the work of industry-sponsored writers has the **potential to introduce bias, affecting treatment decisions by doctors and, ultimately, patient care.**

According to the study, responding authors reported a 10.9 percent rate of ghostwriting in The New England Journal of Medicine, the highest rate among the journals. [“Ghostwriting Is Called Rife in Medical Journals,” New York Times, Sep. 10, 2009 (emphasis added), <http://www.nytimes.com/2009/09/11/business/11ghost.html>]

¹ <http://www.guardian.co.uk/environment/2010/feb/02/hacked-climate-emails-flaws-peer-review>

18. The “peer review” system used to approve these studies, according to one medical historian, is little more than another barrier to keep out of medical journals that which does not conform to the orthodoxy of the day.

The appeal to “science” in modern Rationalism is an appeal to professional consensus. No objective criteria exist, and the “expert” is merely an expert on his colleagues’ opinions. [Harris L. Coulter, 4 Divided Legacy (1994), p. xxix.]

19. Increasingly, Americans are voting with their feet and turning away from certain aspects of conventional medicine.

Americans spend almost a third as much money out-of pocket on herbal supplements and other alternative medicines as they do on prescription drugs, a new government report shows.

Out-of-pocket spending on herbal supplements, chiropractic visits, meditation, and other forms of complementary and alternative medicines (CAM) was estimated at \$34 billion in a single year. [Salynn Boyles, “Americans Spend \$34 Billion on Alternative Medicine,” WebMD.]²

20. According to one estimate, Americans “made 628 million visits to alternative health-care practitioners, 243 million more than visits to all primary-care physicians.” [Wynne Brown, “Alternative Medicine Goes Mainstream,” Discovery Health.]³

21. This trend toward alternative medicine has not gone unnoticed in conventional medicine. Increasingly unable to compete in the healthcare marketplace, conventional medicine has turned to government to drive its competitors out of business. What conventional medicine cannot achieve by persuasion it seeks to do by raw government power through the Food and Drug Administration -- and even by agencies with no expertise on medical matters, including

² <http://www.webmd.com/balance/news/20090730/americans-spend-34-billion-alternative-medicine>

³ <http://health.discovery.com/centers/althealth/medtrends/medtrends.html>

the Federal Trade Commission -- which would discourage use of the type of medical care preferred by tens of millions of Americans — for their own good, of course. This problem is not new. Beginning in the 19th Century, allopathic medicine began its efforts to destroy homeopathy, not because it was unsuccessful or expensive, but because it was successful and inexpensive. Harris Coulter, 3 Divided Legacy (1982), pp. 140-236. Pharmacy Professor Richard Henry Parrish II explains that health care providers turned to government to do by compulsion what they could not do by reason:

Government became the **arbiter of pharmaceutical fact** because the professions of **pharmacy** and **medicine**, as well as the **pharmaceutical industry**, could enforce **their standards** only through **police powers** reserved to government ... at the expense of others' rights of association, speech, and property. [Richard Henry Parrish II, Defining Drugs: How Government Became the Arbiter of Pharmaceutical Fact, Transaction Publishers, (2003), p. 132.]

D. Conventional Cancer Treatment Leaves Much to Be Desired

22. Oncologist Guy B. Faguet, M.D., attributes most “improvements in cancer mortality [since 1950] to the introduction of food refrigeration, to improved dietary and sanitary habits, to early detection, and to better supportive medical care, rather than to improved cancer therapy.”

Guy B. Faguet, The War on Cancer, Springer (2008), p. 14 (footnote omitted).

23. The National Cancer Institute’s website candidly identifies serious risks of radiation therapy:

Radiation may harm the pituitary gland and other areas of the brain. For children, this damage could cause learning problems or slow down growth and development. In addition, radiation increases the risk of secondary tumors later in life. [<http://www.cancer.gov/cancertopics/wyntk/brain/page7>]

24. Chemotherapy has been demonstrated to create long-lasting cognitive impairments.

About half of the young people who survive cancer risk developing cognitive problems that can affect their performance in elementary school, middle school, and college and have an impact on relationships and on job performance.” Ellen Clegg, Chemobrain: How Cancer Therapies Can Affect Your Mind, Prometheus Books (2009), p. 156.

25. A leading cancer reference textbook, Holland-Frei Cancer Medicine-6, contains a chapter discussing how secondary cancers can be caused by treatment for primary cancers, and begins as follows:

Second primary cancers have become an increasingly important concern in oncology during the last two decades, as they now comprise the sixth most common group of malignancies after skin, prostate, breast, lung, and colorectal cancers. [Susan R. Rheingold, MC, Sifred I Neugut, MD, PhD, and Anna T. Meadows, MD, “Secondary Cancers: Incidence, Risk Factors, and Management” Holland-Frei Cancer Medicine-6]⁴

26. The literature contains much evidence of the dangers of cancer treatments. For example, one study followed over 30,000 men who had received radiation for prostate cancer, showing a significant increase in development of rectal cancer after radiation for prostate cancer. “Increased Risk of Rectal Cancer after Prostate Radiation: a Population-based Study,” *Gastroenterology*, vol.128, Issue 4, pp. 819-824 (April 2005).⁵

27. Even FTC expert Dennis Miller, M.D., acknowledged that chemotherapy can have “negative effects on cognitive and intellectual functioning ... invariably on the bone marrow.” (Tr. 1/55-56). This indicates that the deepest, most precious organs of the human body are being harmed. Miller also says “don’t deny a patient effective therapy and in its place substitute

⁴ <http://www.ncbi.nlm.nih.gov/bookshelf/br.fcgi?book=cmed6&part=A43437>

⁵ [http://www.gastrojournal.org/article/S0016-5085\(04\)02333-9/abstract](http://www.gastrojournal.org/article/S0016-5085(04)02333-9/abstract)

something less toxic, less devastating to the different organs of the body.” Tr. 1/227. This is a disturbing statement, that such a doctor makes the decision for patients that their organs can and must be devastated. Hippocrates said “First do no harm” -- an oath that all doctors used to take. Vitalistic healers still uphold that in the interest of life, health, and healing. (FTC Complaint Counsel Expert Witness Dr. Miller had not practiced oncology for over 10 years, but, rather, **manages chemotherapy drug trials for pharmaceutical companies.** Tr. 1/47-48, 157.)

28. Although oncologists use chemotherapy liberally to treat their patients, they see the problems with their methods more clearly when they consider using it for themselves. In 1986, McGill Cancer Center scientists sent a questionnaire to 118 doctors who treated non-small-cell lung cancer. More than three-quarters of them recruited patients and carried out trials of toxic drugs for lung cancer. They were asked to imagine that they themselves had cancer, and were asked which of six current trials they themselves would choose. **Sixty-four of the 79 respondents would not consent to be in a trial** containing cisplatin, a common chemotherapy drug. Fifty-eight found all the trials unacceptable based on the ineffectiveness of chemotherapy and its unacceptable degree of toxicity. Ralph Moss, Ph.D., Questioning Chemotherapy, Equinox Press (2000), p. 40.

E. Sound Conventional Medicine Does Not Deny the Importance of Nutrition and Herbal Remedies

29. British physician "Alec Forbes, who helped found the Bristol Cancer Help Center, said that he chose cancer as the disease to treat by alternative medicine because it is the condition which is treated particularly badly by conventional medicine and particularly well by unorthodox

means." Stephen Gascoigne, M.B., Ch. B., C.Ac., Dip. C.H.M., The Manual of Conventional Medicine for Alternative Practitioners. Vol. I, p. 81.

30. The need for good nutrition to gain good health is not a fringe concept. In 1997, Congress made an official finding that: “the importance of nutrition and the **benefits of dietary supplements** to health promotion and disease prevention have been documented increasingly in **scientific studies**; there is a **link** between the ingestion of certain **nutrients** or **dietary supplements** and the prevention of chronic diseases such as **cancer**, heart disease, and osteoporosis.” Dietary Supplement Health and Education Act of 1994, Public Law 103-417, section 2 (2) and (3A) (emphasis added).

31. In 2004, the Centers for Disease Control published “The Burden of Chronic Diseases and Their Risk Factors.” CDC lists poor nutrition as a major risk factor for heart disease and cancer.

Improving the American diet could extend Americans' productive life span and reduce their risk for chronic diseases, including heart disease, stroke, some types of cancers, diabetes, and osteoporosis.

[<http://www.cdc.gov/nccdphp/burdenbook2004/toc.htm>, p. 42.]

32. The February 2010 issue of the International Journal of Oncology reported on a breakthrough study by physicians affiliated with the M.D. Anderson Cancer Center in Houston, Texas. The physicians studied four homeopathic remedies (Carcinosin, Phytolacca, Conium, and Thuja) which demonstrated their ability to induce cell death when tested with two breast cancer cell lines. Moshe Frenkel, M.D., et al. “Cytotoxic Effects of Ultra-Diluted Remedies on Breast Cancer Cells,” International Journal of Oncology, February 2010. The abstract of this study is available at <http://www.spandidos-publications.com/ijo/36/2/395>. “[T]he cell-killing effects of

two of the remedies investigated ... appeared similar to the activity of paclitaxel (Taxol) the most commonly used chemotherapeutic drug for breast cancer, when it was tested in the same two adenocarcinoma cell lines investigated in this study.” R. Moss, “A Tipping Point for Homeopathy?” (Feb. 21, 2010).

<http://www.cancerdecisions.com/content/view/414/2/lang,english/>

33 The literature contains many reports of the specific benefits of numerous vitamins and minerals in the treatment of cancer. For example, one study showed that garlic's chemical properties produce numerous effects that inhibit cancer, including activation of lymphocytes, stimulating immune response, with antitumor effects. “Allicin Stimulates Lymphocytes and Elicits an Antitumor Effect,” International Immunology, Vol. 16, No. 2, pp. 275-281, February 2004.

34. Dr Sally Lamont, an expert witness for DCO, testified that all of the DCO challenged products' components are supported by scientific literature as to what DCO claims the products can do (*e.g.*, boost the immune system, detoxify the blood, etc.). *See* Tr. 1/572-74.

F. Stopping DCO's Healing Ministry Impedes its Healing Ministry

35. There is much Biblical support for the proposition that God cares much about, and gives much instruction about, our health and well being.

- When God created the world, including food and herbs, he declared it was good. Genesis 1:11-12, 29-31.
- Old Testament dietary laws were, in part, given to His people based on sound health, hygiene and medical advice not understood by man until thousands of years later. *See, e.g.*, Lev. 11:3; Deut. 14:6. “Kashrut: Jewish Dietary Laws.” <http://www.jewfaq.org/kashrut.htm>
- For believers in Christ, our bodies belong to God, and are considered "a temple of the Holy Spirit, who is in you, whom you have received from God? You are not

your own; you were bought at a price. Therefore honor God with your body." 1 Corinthians 6:19-20.

- Jesus (not Caesar) is called the Great Physician. Luke 4:23.
- Christians receive from the Holy Spirit spiritual gifts designed to minister to others, and some receive the gift of healing. *See* I Corinthians 12:9, 28, and 30.

36. In Scripture, God tells us about a woman who "had suffered under the care of many doctors ... yet instead of getting better she grew worse." Mark 5:26. She "had spent all her living upon physicians, neither could be healed of any...." Luke 8:43. She went to Jesus and was healed, "Daughter, your faith has healed you." Mark 5:34. On January 5, 2010, a woman wrote in to Daniel Chapter One that she "went to three different doctors and each one made me more ill." She went on to say, "Called your program, ordered 7 Herb Formula, GDU, and FGC ... in 10 days I was well. Praise God. Thank you." This is the kind of testimony we hear regularly. If the FTC Order had been in effect, we would not have been able to answer this lady's plea and to help her.

37. There have been many similar instances where DCO Biomolecular nutrition products have saved lives when nothing else had worked:

- a toddler near-drowning victim,
- a teenager with Cerebral Palsy in Missouri, and recently
- a baby with failure to thrive in N.Y.

In each of these cases patients were on feeding tubes, doctors had done all they could, and the person grew worse. Two boys literally were dying and doctors had given up hope. These children's lives were saved with DCO products, and the parents are now furious that the government has attacked the DCO ministry. The medical doctor of the teenager with CP has since prescribed DCO 1st Kings as a "medical necessity" because it is the only source of nutrition that will stay in the boy's stomach.

38. All DCO products are made with ingredients that are "GRAS" — Generally Recognized As Safe. Ingredients in DCO products are not drugs and simply nourish the body as God intended. It would be inhumane and unconscionable to demand DCO not tell what it knows because it has not conducted studies that DCO could never afford and that would take years to complete, and to meanwhile cut off the information that can and has saved lives. It would make no sense to sell the products if DCO could not explain what bodily functions they were useful in assisting. The products can be of no benefit to people if they have no idea what to use in a given situation, or how to use them.

G. Stopping DCO's Healing Ministry Impedes its Free Exercise of Religion

39. According to Hebrews 9:27, "And as it is appointed unto men once to die, but after this the judgment...." Nevertheless, some people who get cancer have spent a lifetime avoiding the reality that they are eternal beings, and will spend eternity in either Heaven or Hell. They may have heard the claims of Christ (*e.g.*, "Jesus saith unto him, I am the way, the truth, and the life: no man cometh unto the Father, but by me." John 14:6), but have never responded. People who have physical illness often become sensitive to the things of God, asking questions that lead to their acknowledgment that they are sinners, separated from God, and need a Savior. In the weakness of their illness, they focus on the world to come, and many come to accept Christ's substitutionary death on a cross as payment for their sin — entering into a saving relationship with the living God. As new believers, they are freed from the power of sin, and able to spiritually discern truth. (I Corinthians 2:14 "But the natural man receiveth not the things of the Spirit of God: for they are foolishness unto him: neither can he know [them], because they are spiritually discerned.") The role that God gave the Church is both to minister to the body and to

proclaim the Gospel of God. With respect to those whom God directs to us, DCO seeks to carry out that Great Commission. Tr. 2/325; Matthew 28:18-20. Interference with DCO's healing ministry is also interference with DCO's spiritual ministry. God tells us that if a man comes to us hungry, to feed him first, then give him the gospel. James 2:15-18. People come to us with needs, often physical, that we are told by God to meet.

40. For my husband or I, and our ministry, to sign a letter drafted by the FTC that states that "cancer treatments ... have been scientifically proven to be safe and effective" would be like signing a letter stating that Jesus Christ is a liar and Satan is worthy to be praised — an egregious deception. It would be that deeply offensive and totally against the dictates of conscience. It is repugnant to us to be put in a situation by our federal government to choose between obeying the government or obeying God. However, in such situations, Scripture instructs believers how to respond. *See Acts 5:29.*

Pursuant to 28 U.S.C. Section 1746, I declare, under penalty of perjury, that the foregoing is true and correct.

Patricia Feijo

Executed on _____