

Wednesday, June 17, 2015

Open Letter delivered via Twitter (without exhibits)

Ms. Edith Ramirez  
Chairwoman  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

CC: Governor Jay Inslee, State of Washington  
Senator Maria Cantwell, State of Washington  
Senator Patty Murray, State of Washington  
Representative Dan Newhouse, 4<sup>th</sup> Congressional District of State of Washington  
Mr. Andrew Cersney, Director, Division of Enforcement Securities Exchange Commission  
Mr. Brian L. Roberts, Chairman, CEO, Comcast Corporation  
Ms. Elisabeth H. DeMarse, Chairman, CEO & President, The Street, Inc.

RE: **The Street, Inc. possible Nationwide Advertising Fraud & Deception possibly causing irreparable harm against innumerable U.S. Citizens and IsoRay, Inc. a company domiciled in Washington State**

Excerpted from 6/9/15 TheStreet CEO Letter: 'The assertion made by Adam Feuerstein and The Street, Inc. a publicly traded company, article dated May, 21, 2015 entitled: 'IsoRay Takes Liberties With Lung Cancer Study Results to Prop Up Stock Price'<sup>17</sup> specifically states: 'In their conclusion, the study authors do not endorse IsoRay's Cesium-131...' may be a false and possibly a slanderous statement as demonstrated by empirical evidence herein and if subsequently proven to be false and slanderous by court(s) and or regulatory body(s) may additionally be demonstrative of gross negligence and or possibly willful and illegal manipulation of the market price of IsoRay's stock in a way that furthers the interests of short sellers by Adam Feuerstein and The Street, Inc. a publicly traded corporation.

Dr. Bhupesh Parashare MD lead author and his colleagues in their study paper made available online May 19, 2015 titled: 'Analysis of stereotactic radiation vs. wedge resection vs. wedge resection plus Cesium-131 brachytherapy in early-stage lung cancer' explicitly stated in their study: 'Conclusion WR, WR+ Cs-131, or SBRT are all excellent treatment options for patients with early-stage non-small cell lung cancer that are not candidates for lobectomy. For high risk WRs, we favor use of Cesim-131 brachytherapy.'<sup>1</sup> <sup>2</sup>

---

<sup>1</sup> Dr. Bhupesh Parashar MD, of Weill Cornell Medical College, lead author & colleagues of the publication, published study - Analysis of stereotactic radiation vs. wedge resection vs. wedge resection plus Cesium-131 brachytherapy in early-stage lung cancer, (May 19, 2015), available at <http://www.sciencedirect.com/science/article/pii/S1538472115004559> & [http://www.brachyjourn.com/article/S1538-4721\(15\)00455-9/abstract](http://www.brachyjourn.com/article/S1538-4721(15)00455-9/abstract)

<sup>2</sup> @X54389, Open Letter delivered via Twitter (without exhibits) @TheStreet, Open Letter to Ms. Elisabeth H. DeMarse RE: IsoRay, Inc. , (9 June 2015) available at <http://x54389.weebly.com/69-open-letter-to-the-street-inc-ceo-re-isoray-inc.html> and original tweet available at <https://twitter.com/x54389/status/608360941886042115>

Excerpted from this letter:'

This flagrant inaction to rectify obvious and possibly slanderous errors possibly establishes willful action on the part of CEO Ms. Elisabeth H. DeMarse, Adam Feuerstein, James J. Cramer & The Street, Inc. a publicly traded corporation possibly demonstrates ongoing unlawful intent in perpetrating a systematic, active and recurring Advertising Fraud and Deception within all States in the U.S. by utilizing the internet as a dissemination vehicle for possibly systematically publishing Fraudulent and Deceptive Advertising possibly cloaked as Free Stock News. <sup>4</sup>Page 5, Paragraph 4

Dear Chairwoman Ramirez:

The Street, Inc. a publicly traded corporation, is a subscription business model<sup>3</sup> providing free original financial stock news content ("Free Stock News"). This Free Stock News may be actively disseminated throughout all States within the U.S. via internet utilizing their website TheStreet.com, Twitter.com, and email. The Street, Inc. possibly utilizes Free Stock News for systematically creating and maintaining ongoing demand generation in a material manner to facilitate sales of fee based subscription services. Advertising on Dictionary.com is defined as: ' 1. The act or practice of calling attention to one's product, service, need, etc.,...<sup>4</sup>. Given this possible interpretation, Free Stock News may possibly be defined as Advertising. Additionally The Street, Inc. may have a long term mutually beneficial financial relationship with Mr. James J. Cramer ("Mr. Cramer") who may additionally be a nationally recognized celebrity in major part due to his current and longstanding broadcast affiliation with CNBC. CNBC is owned by NBC Universal which in turn is owned by Comcast Corporation. Upon cursory review of the possible financial arrangement between The Street, Inc. and Mr. Cramer as found in a publicly available news article, one may possibly conclude The Street Inc.'s relationship with Mr. Cramer may possibly act as a material catalyst dramatically enhancing the ongoing Advertising effectiveness for acquisition and retention of subscription revenues for The Street, Inc. throughout all States of the U.S.<sup>5</sup>

Not less than 10 (ten) times twitter user @X54389 made best effort attempts requesting representatives James J. Cramer (also a Board Director of The Street, Inc.) & Adam Feuerstein of The Street, Inc. a publicly traded corporation via Twitter to rectify its' possibly false and slanderous article and tweets pertaining to IsoRay, Inc. prior to sending on Tuesday, June 9, 2015 an Open Letter to Ms. Elisabeth H. DeMarse, Chairman, CEO & President of The Street, Inc. ("6/9/15 TheStreet CEO Letter")<sup>6</sup>:

---

<sup>3</sup> Wikipedia, definition and explanation, Subscription business model, ( 12 June 2015), available at [https://en.wikipedia.org/wiki/Subscription\\_business\\_model](https://en.wikipedia.org/wiki/Subscription_business_model)

<sup>4</sup> Dictionary.com, definition, Advertising – noun 1. The act or practice of calling public attention to one's product, service, need, etc.,... (Unknown Date) available at <http://dictionary.reference.com/browse/advertising?s=t>.

<sup>5</sup> NY Times DealBook, article by Steven Davidoff Solomon, Jim Cramer Hit With Insult He Hurls at Others: Fat Cat, (9 December 2014) available at <http://dealbook.nytimes.com/2014/12/09/jim-cramer-hit-with-insult-he-hurls-at-others-fat-cat/>

<sup>6</sup> The Street, Inc., Article authored by Mr. Adam Feuerstein, IsoRay Takes Liberties With Lung Cancer Study Results to Prop Up Stock Price (April 29, 2015 12:28 PM ET), available at <http://www.thestreet.com/story/13159992/1/isoray-takes-liberties-with-lung-cancer-study-results-to-prop-up-stock-price.html>

<sup>6</sup> Adam Feuerstein of The Street, Inc., possibly derogatory comments through Twitter, (21-25 May 2015) available at [http://charts.stocktwits.com/production/original\\_37941885.png?1433773642](http://charts.stocktwits.com/production/original_37941885.png?1433773642)

1.) @adamfeuerstein @jimcramer \$ISR - **facts checked? ...we favor use of Cesium-131...**

**<http://bit.ly/1R7h5SI>**<sup>7</sup>

2.) @jimcramer @adamfeuerstein \$ISR **Mr. Cramer, do you approve of slanderous assertions? Please take action.**<sup>8</sup>

3.) @jimcramer @adamfeuerstein \$ISR - **Mr. Cramer, do you really intend to remain silent on this issue?**<sup>9</sup>

4.) @jimcramer @adamfeuerstein \$ISR - **Mr. Cramer, do you really intend to remain silent on this issue?**<sup>10</sup>

Note: not a duplicate as two messages with same subject were sent twice.

5.) @jimcramer @adamfeuerstein **Mr. Cramer an hour later with slanderous content still not taken down on \$ISR? Really?**<sup>11</sup>

6.) @jimcramer @adamfeuerstein **Mr. Cramer a day later with slanderous content still not taken down on \$ISR? Really?**<sup>12</sup>

Note: not a duplicate as two messages with same subject were sent twice.

7.) @jimcramer @adamfeuerstein \$ISR - **Mr. Cramer, do you really intend to remain silent on this issue? Day #2 no action?**<sup>13</sup>

8.) @jimcramer @adamfeuerstein \$ISR - **Mr. Cramer, do you really intend to remain silent on this issue? Day #2 no action?**<sup>14</sup>

9.) @jimcramer @adamfeuerstein -**Cramer, Please be the honorable man we know you are and do real DD on \$ISR and report live on Mad Money & CNBC.**<sup>15</sup>

---

<sup>7</sup> @X54389, Tweet to, @adamfeuerstein @jimcramer \$ISR - facts checked? ...we favor use of Cesium-131... <http://bit.ly/1R7h5SI> (21 May 2015) available at <https://twitter.com/x54389/status/601444460254212096>

<sup>8</sup>@X54389, Tweet to, @jimcramer @adamfeuerstein \$ISR Mr. Cramer, do you approve of slanderous assertions? Please take action. (21 May 2015) available at <https://twitter.com/x54389/status/601473227597205504>

<sup>9</sup> @X54389, Tweet to, @jimcramer @adamfeuerstein \$ISR - Mr. Cramer, do you really intend to remain silent on this issue? (21 May 2015) available at <https://twitter.com/x54389/status/601487411101700098>

<sup>10</sup> @X54389, Tweet to, @jimcramer @adamfeuerstein \$ISR - Mr. Cramer, do you really intend to remain silent on this issue? (21 May 2015) available at <https://twitter.com/x54389/status/601487827726118912>

<sup>11</sup> @X54839, Tweet to, @jimcramer @adamfeuerstein Mr. Cramer an hour later with slanderous content still not taken down on \$ISR? Really? (21 May 2015) available at <https://twitter.com/x54389/status/601496381564526592>

<sup>12</sup> @X54389, Tweet to, @jimcramer @adamfeuerstein Mr. Cramer a day later with slanderous content still not taken down on \$ISR? Really? (22 May 2015) available at <https://twitter.com/x54389/status/601706532519190528>

<sup>13</sup> @X54389, Tweet to, @jimcramer @adamfeuerstein \$ISR - Mr. Cramer, do you really intend to remain silent on this issue? Day #2 no action? (22 May 2015) available at <https://twitter.com/x54389/status/601716264340475904>

<sup>14</sup> @X54389, Tweet to, @jimcramer @adamfeuerstein \$ISR - Mr. Cramer, do you really intend to remain silent on this issue? Day #2 no action? (22 May 2015) available at <https://twitter.com/x54389/status/601748396458823680>

<sup>15</sup> @X54389, Tweet to, @jimcramer @adamfeuerstein -Cramer, Please be the honorable man we know you are and do real DD on \$ISR and report live on MadMoney & CNBC. (22 May 2015) available at <https://twitter.com/x54389/status/601751023393370112>

10.) @StockMatusow @jimcramer @adamfeuerstein \$ISR **Cramer choose to block my request rather than addressing in public.Sad.**<sup>16</sup>

On 6/9/15 TheStreet CEO Letter<sup>2</sup> was sent requesting timely corrective actions along with identifying an inordinate amount of errors and possibly false and slanderous statements contained in an article published on May 21, 2015 11:36 AM EDT by The Street, Inc. and written by Mr. Adam Feuerstein titled: ' IsoRay Takes Liberties With Lung Cancer Study Results to Prop Up Stock Price '.<sup>17</sup> Within the 6/9 TST CEO Letter it was pointed out as of 6/9; **As of the publication date of this letter The Street, Inc. a publicly traded company, you, your management team and staff have made none of the following actions publicly:**

- 1.) **Retraction**
- 2.) **Apology**
- 3.) **Comment detailing the issue (other than possibly derogatory comments through Mr. Adam Feuerstein's via Twitter)**<sup>18</sup>
- 4.) **Amendment to the article in question correcting possibly numerous inaccuracies**

**Furthermore the article in question remains verbatim online as originally published on May 21, 2015 at 11:36 AM EDT. Please note regulatory body(s), law firms, media, IsoRay, Inc., shareholders, clinicians, and most important cancer patients are keenly observing how you and your management team at The Street, Inc. are handling this egregious issue and thus far, the lack of curative action may be reprehensible at best. Thank you in advance for your much needed leadership in the areas of editorial ethics and reporting integrity, as these qualities appear to be desperately needed in order to remedy and make whole the referenced issue herein in a timely manner.**<sup>2</sup>

Citizens for Responsibility and Ethics in Washington ("CREW") clearly illustrates the possibility of a historically similar ongoing systematic pattern of behavior possibly perpetrated by The Street, Inc.<sup>19</sup>

On May 27<sup>th</sup>, 2015 at 3:40PM EDT Mr. Todd Cox announced via Stocktwits.com he had filed a formal complaint with SEC against Adam Feuerstein and The Street, Inc.: **for illegal stock manipulation**<sup>20</sup> On June 11, 2015 4:25 PM EDT Mr. Todd Cox wrote an article entitled: ' Is The SEC Investigating The Street, Inc. And

---

<sup>16</sup> @X54389, Tweet to, @StockMatusow @jimcramer @adamfeuerstein \$ISR **Cramer choose to block my request rather than addressing in public.Sad.** (22 May 2015) available at <https://twitter.com/x54389/status/601854008676986880>

<sup>17</sup> The Street, Inc., Article authored by Mr. Adam Feuerstein, IsoRay Takes Liberties With Lung Cancer Study Results to Prop Up Stock Price (April 29, 2015 12:28 PM ET), available at <http://www.thestreet.com/story/13159992/1/isoray-takes-liberties-with-lung-cancer-study-results-to-prop-up-stock-price.html>

<sup>18</sup> Adam Feuerstein of The Street, Inc., possibly derogatory comments through Twitter, (21-25 May 2015) available at [http://charts.stocktwits.com/production/original\\_37941885.png?1433773642](http://charts.stocktwits.com/production/original_37941885.png?1433773642)

<sup>19</sup> Citizens for Responsibility and Ethics in Washington ("CREW"), Letter by Melanie Sloan Executive Director, **CREW Requests SEC Investigative Manipulation of Drug Company ... Strategically released blog posts by well-known biotech stock analyst and senior columnist for TheStreet.com Adam Feuerstein seem designed ...** (July 29, 2014), available at <http://www.citizensforethics.org/legal-filings/entry/crew-sec-investigation-manipulation-drug-company-biotech-stock-feuerstein>

<sup>20</sup> StockTwits.com, Twit, \$ISR Just an update, I have filed a formal complaint with the SEC against Adam Feuerstein and TheStreet for illegal stock manipulation, (27 May 2015, 3:40 PM EDT) available at <http://stocktwits.com/coxinvestments/message/37456366>

Adam Feuerstein Concerning Possible Illegal Manipulation Of Isoray? <sup>21</sup> Mr. Cox's article provides both additional color and considerable depth as to the details of the actions possibly perpetrated by Adam Feuerstein and TheStreet, Inc. as excerpted: It looks as if they followed that illegal manipulation technique to bring down ISR share prices. On May 21st, the day after the positive lung results were released, TheStreet.com released a blatantly false article authored by Adam Feuerstein. The article states such things as "IsoRay Takes Liberties With Lung Cancer Study Results to Prop Up Stock Price", when actually, IsoRay directly quoted the study results and provided a link to the actual published article. TheStreet.com did not provide a link, in my opinion because it would directly refute their article. TheStreet.com article also clearly misleads readers by writing, "In their conclusion, the study authors do not endorse IsoRay's Cesium-131", this is a blatantly false statement. The study authors very clearly state, in their conclusion that, "For high risk WR's, we favor use of Cesium-131 brachytherapy." This is a direct contradiction to Mr. Feuersteins statement. Also, TheStreet.com's article does not even mention, much less explain, as the published medical study does, that Cesium-131 was used on "high risk" cancers and the other treatments were used on lower risk cancers. This difference in higher risk versus lower risk cancers was so important in the outcomes that the study actually goes into detail about why and how this affected the study results and why it shows Cesium-131 actually had much better results than the other treatments.

Within hours of the false and misleading article, several law firms issued press releases announcing they were filing lawsuits for possible stock fraud against IsoRay for misleading statements. The law firms actually state in their press releases that their lawsuits stem from an article published by TheStreet.com and goes on to quote the article. Law firms have continued almost on a daily bases to do press releases with such dramatic and completely false headlines such as "Investigation of IsoRay, Inc. and its Officers for Potential Securities Stock Fraud in Connection with the Doctoring of Study Results", again, all quoting The Street article as their source.

The following day, Mr. Feuerstein continued his false and misleading attack on IsoRay stock by tweeting to his 40,000+ followers, "ISR tried to raise money yesterday, too, according to investor source." I personally spoke with the IsoRay CEO, Dwight Babcock, after seeing this and he said that is a completely false statement and he would refute that. The next few days more press releases were released by other law firms all using TheStreet.com's article as bases for their lawsuits. I spoke with a couple of the law firms, one actually telling me that after further investigation, they see no misrepresentation or anything illegal done by IsoRay. They also said they were no longer advertising for a lead plaintiff. <sup>21</sup>

As of Wednesday, June 17<sup>th</sup>, 2015 1:00PM EDT The Street, Inc. article in question<sup>17</sup> remains verbatim online as originally published on May 21, 2015 at 11:36 AM EDT. This flagrant inaction to rectify obvious and possibly slanderous errors possibly establishes willful action on the part of CEO Ms. Elisabeth H. DeMarse, Adam Feuerstein, James J. Cramer & The Street, Inc. a publicly traded corporation possibly demonstrates ongoing unlawful intent in perpetrating a systematic, active and recurring Advertising Fraud and Deception within all States in the U.S. by utilizing the internet as a dissemination vehicle for possibly systematically publishing

---

<sup>21</sup> SeekingAlpha, Article, Is The SEC Investigating The Street, Inc. And Adam Feuerstein Concerning Possible Illegal Manipulation Of Isoray?, (11 June 2015, 4:25 PM EDT), available at <http://seekingalpha.com/instablog/9072271-todd-cox/4071016-is-the-sec-investigating-the-street-inc-and-adam-feuerstein-concerning-possible-illegal-manipulation-of-isoray>

**Fraudulent and Deceptive Advertising possibly cloaked as Free Stock News.** This possibly willful recurring systematic internet Advertising Fraud and Deception on the part of The Street, Inc. a publicly traded corporation may possibly have caused irreparable financial harm to IsoRay, Inc. a publicly traded corporation domiciled in our great State of Washington, other corporations, and innumerable individual U.S. Citizens throughout the United States of America.

Kindly consider giving this possibly ongoing systematic Advertising Fraud and Deception within all States of the U.S., possibly being actively perpetrated by The Street, Inc. a publicly traded company, the proper level of attention as the Enforcement Bureau deems necessary to protect the Citizens of our great Nation from possible continuing harm relating to this issue.

Sincerely,

@x54389

Excerpted from this letter:’

**This flagrant inaction to rectify obvious and possibly slanderous errors possibly establishes willful action on the part of CEO Ms. Elisabeth H. DeMarse, Adam Feuerstein, James J. Cramer & The Street, Inc. a publicly traded corporation possibly demonstrates ongoing unlawful intent in perpetrating a systematic, active and recurring Advertising Fraud and Deception within all States in the U.S. by utilizing the internet as a dissemination vehicle for possibly systematically publishing Fraudulent and Deceptive Advertising possibly cloaked as Free Stock News.** <sup>Page 5, Paragraph 4</sup>

Excerpted from 6/9/15 TheStreet CEO Letter:’

**The assertion made by Adam Feuerstein and The Street, Inc. a publicly traded company, article dated May, 21, 2015 entitled:’ IsoRay Takes Liberties With Lung Cancer Study Results to Prop Up Stock Price <sup>17</sup> specifically states:’ In their conclusion, the study authors do not endorse IsoRay's Cesium-131... ‘ may be a false and possibly a slanderous statement as demonstrated by empirical evidence herein and if subsequently proven to be false and slanderous by court(s) and or a regulatory body(s) may additionally be demonstrative of gross negligence and or possibly willful and illegal manipulation of the market price of IsoRay’s stock in a way that furthers the interests of short sellers by Adam Feuerstein and The Street, Inc. a publicly traded corporation.**

**Dr. Bhupesh Parashare MD lead author and his colleagues in their study paper made available online May 19, 2015 titled:’ Analysis of stereotactic radiation vs. wedge resection vs. wedge resection plus Cesium-131 brachytherapy in early-stage lung cancer’ explicitly stated in their study:’ Conclusion WR, WR+ Cs-131, or SBRT are all excellent treatment options for patients with early-stage non-small cell lung cancer that are not candidates for lobectomy. For high risk WRs, we favor use of Cesim-131 brachytherapy. <sup>1 2</sup>**