

D. any claim under the Equal Access to Justice Act.

5. This Consent Agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this Consent Agreement is accepted by the Commission, it will be placed on the public record for a period of thirty (30) days and information in respect thereto will publicly be released. The Commission thereafter may either withdraw its acceptance of this Consent Agreement and so notify Respondent, in which event it will take such action as it may consider appropriate, or issue and serve its Decision and Order in disposition of the proceeding.

6. This Consent Agreement is for settlement purposes only and does not constitute an admission by Respondent that the law has been violated as alleged in the Complaint, or that the facts as alleged in the Complaint, other than jurisdictional facts, are true.

7. This Consent Agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of Commission Rule 3.25(f), 16 C.F.R. § 3.25(f), the Commission may, without further notice to Respondent, (1) issue the attached Decision and Order in disposition of the proceeding, and (2) make information public with respect thereto. When so entered, the Decision and Order shall have the same force and effect, and may be altered, modified, or set aside in the same manner and within the same time provided by statute for Commission orders. The Decision and Order shall become final upon service. Delivery of the Decision and Order to Respondent by any means specified in Commission Rule 4.4(a), 16 C.F.R. § 4.4(a), shall constitute service. Respondent waives any right it may have to any other manner of service. The Complaint may be used in construing the terms of the Decision and Order, and no agreement, understanding, representation, or interpretation not contained in the Decision and Order or the Consent Agreement may be used to vary or contradict the terms of the Decision and Order.

8. Respondent has read the Decision and Order contemplated hereby. By signing this Consent Agreement, Respondent represents that it can accomplish the full relief contemplated by this Consent Agreement. Respondent understands that once the Decision and Order has been issued, it will be required to file one or more compliance reports showing that it has fully complied with the Decision and Order. Respondent agrees to comply with the Decision

and Order from the date it signs this Consent Agreement. Respondent further understands that it may be liable for civil penalties in the amount provided by law for each violation of the Decision and Order after the Decision and Order becomes final.

South Carolina State Board of Dentistry:

Federal Trade Commission:

William Davie Cranford, Jr., DMD
President
South Carolina State Board of Dentistry

Gary H. Schorr
Counsel Supporting the Complaint

Signed this _____ day of _____, 2007

Approved:

Kenneth P. Woodington
Davidson, Morrison & Lindemann, P.A.
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Markus H. Meier
Assistant Director

Counsel for South Carolina State Board of Dentistry

Signed this _____ day of _____, 2007

Jeffrey Schmidt
Director

Bureau of Competition
Federal Trade Commission
Washington, DC 20580