



**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

\_\_\_\_\_ ) **EXPEDITED TREATMENT REQUESTED**  
In the Matter of )  
) **PUBLIC**  
)  
)  
NORTH CAROLINA STATE BOARD OF ) **DOCKET NO. 9343**  
DENTAL EXAMINERS, )  
)  
)  
Respondent. )  
\_\_\_\_\_ )

**JOINT MOTION FOR EXTENSION OF TIME AND [PROPOSED] ORDER**

Pursuant to Commission Rules of Practice 3.22, 3.24 and 4.3, Complaint Counsel and Respondent's Counsel hereby respectfully submit this joint motion requesting extensions of time for the parties to respond to motions pending in this matter.

1. On November 2, 2010, Complaint Counsel filed a Motion for Partial Summary Decision dismissing Respondent North Carolina State Board of Dental Examiners' (the "Board's") affirmative defense under the "State Action Doctrine."
2. On November 3, 2010, Respondent filed a Motion to Dismiss.
3. Pursuant to Commission Rules of Practice 3.22(d) and 4.3, Respondent's Opposition to Complaint Counsel's Motion for Partial Summary Decision is currently due on November 17, 2010.
4. Pursuant to Commission Rules of Practice 3.24(a)(2) and 4.3, Complaint Counsel's response to Respondents' Motion to Dismiss is currently due on November 15, 2010.

5. The parties respectfully submit that an extension of time for each party to respond to the respective motions is warranted in order to insure that all relevant issues are fully addressed, while simultaneously allowing the parties to meet other pending discovery deadlines.
6. Therefore, the parties respectfully request an extension of time so that the deadline for filing oppositions to the respective motions is November 30, 2010. The parties further respectfully request that the deadline for filing replies to those oppositions be set as December 10, 2010.
7. Due to the limited time frame in which the response and opposition are due to be filed, the parties respectfully request expedited consideration of this motion.

Respectfully submitted,

s/ Noel L. Allen

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*Counsel Supporting the Complaint*

Dated: November 5, 2010

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of ) NORTH CAROLINA STATE BOARD OF ) DENTAL EXAMINERS, ) Respondent. )	DOCKET NO. 9343
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**[PROPOSED] ORDER**

Having carefully considered Complaint Counsel's and Respondent Counsel's Joint Motion for an Extension of Time to submit their respective Opposition Memorandum and Reply Memorandum to Complaint Counsel's Motion for Partial Summary Decision and Respondent's Motion to Dismiss, it is hereby,

ORDERED, that the Opposition Memorandum and any Supporting Materials to the respective motions are due on November 30, 2010, and that any Reply Memorandum and Supporting Materials are due on December 10, 2010.

ORDERED:

By the Commission.

\_\_\_\_\_  
Donald S. Clark  
Secretary

SEAL

ISSUED:

**CERTIFICATE OF SERVICE**

I hereby certify that on November 5, 2010, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

Donald S. Clark  
Secretary  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm. H-159  
Washington, DC 20580

I also certify that I delivered via electronic mail and hand delivery a copy of the foregoing document to:

The Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm. H-110  
Washington, DC 20580

I further certify that I delivered via electronic mail a copy of the foregoing document to:

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*Counsel for Respondent  
North Carolina State Board of Dental Examiners*

**CERTIFICATE FOR ELECTRONIC FILING**

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

November 5, 2010

By: s/ Richard B. Dagen  
Richard B. Dagen