

CONFIDENTIAL

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES



_____)
In the Matter of)
)
The North Carolina Board of)
Dental Examiners,)
Respondent.)
_____)

DOCKET NO. 9343

ORDER GRANTING MOTION FOR EXTENSION OF TIME

The Scheduling Order entered in this case set November 19, 2010 as the deadline for Respondent to provide its expert witness list to Complaint Counsel. On November 19, 2010, Respondent submitted a Motion for Extension of Time to Provide Expert Witness List. Respondent seeks an extension of three days, from Friday, November 19 until Wednesday, November 24, 2010, to provide its expert witness list to Complaint Counsel. Respondent states that due to other pressing deadlines in this matter, counsel has not had sufficient time to prepare Respondent's Expert Witness List. Respondent represents that Complaint Counsel does not oppose Respondent's motion for an extension of time.

Under Rule 3.21(c)(2) of the Commission's Rules of Practice, the Administrative Law Judge ("ALJ") may, upon a showing of good cause, grant a motion to extend any deadline or time specified in the Scheduling Order other than the date of the evidentiary hearing. *See also* Rule 4.3(b) (providing that, except in circumstances not applicable here, ALJ may "extend any time limit prescribed by the rules. . ."). Considering the length of the proceedings to date, with dispositive motions being filed with the Commission, the complexity of the issues, the need to conclude the evidentiary hearing and render an initial decision in a timely manner, and that no other extensions for serving Respondent's Expert Witness List have been sought or granted, good cause is found to grant Respondent's motion for an extension of time.

Accordingly, Respondent's motion requesting a three-day extension of time is GRANTED. Respondent shall have until November 24, 2010 to provide to Complaint Counsel its Expert Witness List.

ORDERED:

Dm Chappell
D. Michael Chappell
Chief Administrative Law Judge

Date: November 19, 2010