

ORIGINAL



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 December 14, 2010, as the deadline for Respondent to provide its final proposed witness list and final proposed exhibit list, including designated testimony to be presented by deposition, copies of all exhibits, and Respondent's basis of admissibility for each proposed exhibit. On December 10, 2010, Respondent submitted a Motion for Extension of Time through which Respondent seeks an extension of time until December 17, 2010 for providing its designated testimony to be presented by deposition and until December 21, 2010 for providing its final exhibit list, copies of exhibits, and basis of admissibility for each proposed exhibit. Respondent represents that it anticipates no difficulties in meeting the deadline for its final proposed witness list, with a brief summary of the testimony of each witness, on December 14, 2010, but that due to other pressing deadlines in this matter, Respondent has not had the time to devote to preparing its final proposed exhibit list, including designated testimony to be presented by deposition, copies of all exhibits, and Respondent's basis of admissibility for each proposed exhibit. Respondent states that Complaint Counsel does not oppose this request 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 grounds asserted by Respondents, the complexity of the issues in the case, and that none of the requested extensions will affect the scheduled trial date in this matter, good cause is found to grant Respondent's motion for an extension of time.

Accordingly, Respondent's motion is GRANTED. Respondent shall have until December 17, 2010 to provide its designated testimony to be presented by deposition and until December 21, 2010 to provide its final exhibit list, copies of exhibits, and basis of admissibility for each proposed exhibit.

All remaining deadlines in the Scheduling Order are unchanged.

ORDERED:

D. Michael Chappell
D. Michael Chappell
Chief Administrative Law Judge

Date: December 10, 2010