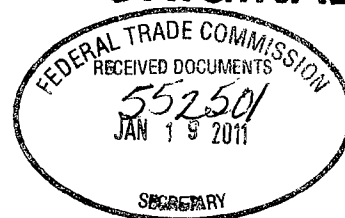


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**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**



In the Matter of)
)
)

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

DOCKET NO. 9343

**ORDER GRANTING JOINT MOTION
FOR EXTENSION OF TIME**

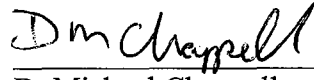
On January 14, 2011, the parties submitted a Joint Motion for an Extension of Time for Complaint Counsel to depose Respondent's expert, Dr. Haywood. The parties note that the deadline for completing expert depositions is January 21, 2011 and that on January 13, 2011, Respondent filed a Motion for Leave to Submit Surrebuttal Expert Witness Report. The parties state that an extension of time will facilitate an orderly resolution of Respondent's motion to submit a surrebuttal report and provide Complaint Counsel the opportunity to depose Dr. Haywood based on the entirety of his reports. Moreover, the parties have agreed to the terms of such an extension, and request that the terms of that agreement be incorporated into an order.

Based on the foregoing, it is hereby ORDERED that the parties' Joint Motion for Extension of Time is GRANTED, and it is FURTHER ORDERED as follows:

Dr. Haywood's deposition shall be taken in Augusta, Georgia on the fifth business day following the later of: (a) issuance of an Order with respect to Respondent's pending Motion for Leave to Submit Surrebuttal Expert Witness Report and to Strike (In Part) Expert Witness Rebuttal Report of Martin Giniger, D.M.D. (not counting the day of issuance of such Order); or (b) filing by Respondent of any Surrebuttal Report by Dr. Haywood pursuant to such Order, if permitted; provided that if Dr. Haywood is unavailable to be deposed on that day, Complaint Counsel and counsel for Respondent shall agree to a subsequent alternative day for deposition that shall be no later than ten business days following issuance of the later of such Order or Surrebuttal Report (again not counting the day of issuance of the Order); and provided further that nothing contained in this Order shall preclude Respondent from petitioning for an extension of

the deadline for deposing Dr. Haywood beyond the ten business day period if Dr. Haywood is unavailable to be deposed during that period.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: January 19, 2011