

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



_____ )	
In the Matter of )	<b>PUBLIC</b>
)	
THE NORTH CAROLINA [STATE] BOARD )	DOCKET NO. 9343
OF DENTAL EXAMINERS, )	
)	<b>EXPEDITED</b>
Respondent. )	<b>TREATMENT</b>
_____ )	<b>REQUESTED</b>

**WITHDRAWAL OF MOTION TO STRIKE AFFIDAVITS OF  
MICHAEL J. BLOOM AND  
TEJASVI SRIMUSHNAM FROM THE RECORD**

Respondent hereby withdraws its Motion to Strike Affidavits of Michael J. Bloom and Tejasvi Srimushnam from the Record (the “Motion to Strike”) as electronically filed May 19, 2011.

After filing its Motion to Strike, Respondent determined that it had filed the Motion prior to conferring with Complaint Counsel regarding the Motion as provided in the Scheduling Order. Respondent therefore withdraws its Motion to Strike pending an attempt to confer with Complaint Counsel in good faith in order to resolve by agreement the issues raised by the Motion. Respondent reserves the right to re-file its Motion to Strike if it is unable to resolve by agreement with Complaint Counsel the issues raised by the Motion.

This the 25th day of May, 2011.

ALLEN AND PINNIX, P.A.

/s/ M. Jackson Nichols

By: \_\_\_\_\_

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## CERTIFICATE OF SERVICE

I hereby certify that on May 25, 2011, I electronically filed the foregoing with the Federal Trade Commission using the FTC E-file system, which will send notification of such filing to the following:

Donald S. Clark, Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Room H-113  
Washington, D.C. 20580

I hereby certify that the undersigned has this date served copies of the foregoing upon all parties to this cause by electronic mail as follows:

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I also certify that I have sent courtesy copies of the document via Federal Express and electronic mail to:

The Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Avenue N.W.  
Room H-110  
Washington, D.C. 20580  
[oalj@ftc.gov](mailto:oalj@ftc.gov)

This the 25th day of May, 2011.

/s/ M. Jackson Nichols

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M. Jackson Nichols

#### **CERTIFICATION FOR ELECTRONIC FILING**

I further 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 by the adjudicator.

/s/ M. Jackson Nichols

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M. Jackson Nichols

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
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In the Matter of	)	
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THE NORTH CAROLINA [STATE] BOARD	)	DOCKET NO. 9343
OF DENTAL EXAMINERS,	)	
	)	
Respondent.	)	
	)	

**PROPOSED ORDER GRANTING WITHDRAWAL OF MOTION TO STRIKE  
AFFIDAVITS OF MICHAEL J. BLOOM AND  
TEJASVI SRIMUSHNAM FROM THE RECORD**

Respondent's withdrawal of its Motion to Strike Affidavits of Michael J. Bloom and Tejasvi Srimushnam from the Record is hereby GRANTED.

ORDERED:

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

Dated: May \_\_, 2011