



UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

\_\_\_\_\_  
In the Matter of )  
 )  
THE NORTH CAROLINA BOARD )  
OF DENTAL EXAMINERS, )  
 )  
Respondent. )  
\_\_\_\_\_ )

**PUBLIC**  
Docket No. 9343

**COMPLAINT COUNSEL’S OPPOSITION (MOOTNESS) TO RESPONDENT’S  
EXPEDITED MOTION TO AMEND THE SCHEDULING ORDER**

On the same day that Respondent’s Expedited Motion to Amend the Scheduling Order was filed, January 18, 2011, Respondent also filed an Expedited Motion for Later Hearing Date to the Commission. In an Order entered on January 21, 2011, the Commission denied Respondent’s motion for a new hearing date. In light of the Commission’s Order, Respondent’s motion to amend the scheduling order is rendered moot, given that it is not feasible to simultaneously extend the Scheduling Order deadlines by three months and keep the same hearing date. Accordingly, Respondent’s Expedited Motion to Amend the Scheduling Order should be denied.

Respectfully submitted,  
  
s/ Richard B. Dagen  
Richard B. Dagen  
Counsel Supporting the Complaint  
Bureau of Competition  
Federal Trade Commission  
Washington, DC 20580  
Phone: (202) 326-2628  
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Dated: January 25, 2011

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

In the Matter of	)	
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<b>NORTH CAROLINA BOARD OF DENTAL EXAMINERS,</b>	)	<b>Docket No. 9343</b>
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	)	

**[PROPOSED] ORDER DENYING RESPONDENT'S EXPEDITED  
MOTION TO AMEND THE SCHEDULING ORDER**

On January 18, 2011, Respondent submitted an Expedited Motion to Amend the Scheduling Order. This motion was accompanied by an Expedited Motion for a Later Hearing Date, which was submitted to the Commission.

On January 25, 2011, Complaint Counsel filed its opposition on the ground that the motion was moot because Respondent's motion to change the hearing date was denied by the Commission on January 21, 2011.

Upon consideration of the points raised in the motion and the opposition thereto, Respondent's motion is DENIED as moot. All remaining deadlines in the Scheduling Order will remain the same.

ORDERED:

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D. Michael Chappell  
Chief, Administrative Law Judge

Date:

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