



UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

_____)	
In the Matter of)	PUBLIC
)	
NORTH CAROLINA BOARD OF)	Docket No. 9343
DENTAL EXAMINERS,)	
)	
Respondent.)	
_____)	

COMPLAINT COUNSEL'S EXPEDITED MOTION TO PLACE IN CAMERA
TESTIMONY ON THE PUBLIC RECORD

Until Brian Runsick testified on the 9th day of the trial, certain testimony relating to Dr. Tilley's examination of Mr. Runsick was taken in camera. While on the stand, Mr. Runsick affirmatively testified that he wanted this information in the public record. Complaint Counsel has consulted with Respondent's Counsel, and represents that Respondent's Counsel do not object to this motion. Respondent's assent is particularly noteworthy here because the initial in camera designation was made at Respondent's Counsel's request. Consequently, Complaint Counsel respectfully request that the in camera designation be removed from portions of the testimony of Drs. Giniger and Tilley.

The testimony at issue was granted in camera treatment because it related to a medical examination of Mr. Runsick and because Respondent's Counsel had not been able to reach Mr. Runsick to ascertain whether he would waive confidentiality regarding such information. e.g., Giniger, Tr. 265:25-266:03. As a result, the following portions of the trial transcript were heard in camera:

Dr. Giniger: Giniger, Tr. 266:16 to 279:22, and 470:07 to 501:25; and

Dr. Tilley: Tilley, Tr. 2008:02 to 2049:21, and 2071:15 to 2099:15.

Thein camera

the need to file camera versions of post-trial submissions, followed by public versions, followed by revised public versions.

Respectfully submitted,

s/ Richard B. Dagen
Richard B. Dagen
William L. Lanning
Laurel A. Price
Counsel Supporting Complaint
Bureau of Competition
Federal Trade Commission
601 New Jersey Avenue, NW
Washington, DC 20580
(202) 326-2628

Dated: April 1, 2011

EXHIBIT 1



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Bureau of Competition

December 20, 2010

Via Federal Express

Brian Keith Runsick
2501 South Ocean Drive
Penthouse 36
Hollywood, FL 33019

RE: *Re: In the Matter of North Carolina [State] Board of
Dental Examiners, Federal Trade Commission Docket
No. 9343*

Dear Mr. Runsick:

By this letter we are providing formal notice, pursuant to Rule 3.45(b) of the Commission's Rules
of Practice, 16 C.F.R. § 3.45(b), that Complaint No. 9343, filed by the Commission on October 1, 2010,

If you have any questions, please feel free to contact me at (202) 326-3361.

Sincerely,

A handwritten signature in black ink, appearing to read "William Lanning". The signature is fluid and cursive, with a large loop at the end.

William Lanning
Counsel Supporting the Complaint

cc: Richard B. Dagen
Melissa Westman-Cherry

Attachment A

In the Matter of NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS, Docket No. 9343
List of Brian Runsick Documents Marked As Exhibits by Complaint Counsel

EXHIBIT NO.	Date Range	Date	Description
570			

CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2011, I filed the foregoing document electronically using the FTC's E-Filing System, which will send notification of such filing to:

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-113
Washington, DC 20580

I also certify that I delivered via electronic mail and hand delivery a copy of the foregoing document to:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580

I further certify that I delivered via electronic mail a copy of the foregoing document to:

Noel Allen
Allen & Pinnix, P.A.
333 Fayetteville Street
Suite 1200
Raleigh, NC 27602
nla@Allen-Pinnix.com

Counsel for Respondent
North Carolina State Board of Dental Examiners

CERTIFICATE FOR ELECTRONIC FILING

I 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 the adjudicator.

April 1, 2011

By: s/ Richard B. Dagen
Richard B. Dagen