

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

In the Matter of	)	
	)	
The North Carolina Board of	)	
Dental Examiners,	)	DOCKET NO. 9343
Respondent.	)	

**ORDER GRANTING MOTION FOR EXTENSION OF TIME**

The Scheduling Order entered in this case set (1) December 10, 2010, as the deadline for Respondent’s Counsel to provide expert witness reports; (2) December 20, 2010, as the deadline for Complaint Counsel to both identify rebuttal expert(s) and provide rebuttal expert report(s); and, (3) December 30, 2010, as the deadline for depositions of experts, including rebuttal experts, and exchange of expert related exhibits.

On December 7, 2010, Respondent submitted a Motion for Extensions of Time. Respondent seeks an extension of time for providing its expert witness reports to December 20, 2010. Respondent further requests, in the event such extension is granted, additional extensions of time as follows: (1) December 30, 2010, for Complaint Counsel to identify its rebuttal expert(s), (2) January 8, 2011, for Complaint Counsel to provide its rebuttal expert report(s);, and (3) January 21, 2011, for both Respondent and Complaint Counsel to depose experts, including rebuttal experts, and exchange expert related exhibits. Respondent states that its experts have not had sufficient time to prepare their reports due to holidays, travel, and conflicting work related duties. Respondent represents that Complaint Counsel does not oppose Respondent’s request for an extension of time for providing Respondent’s expert reports and that, in the event such request is granted, Complaint Counsel supports Respondent’s additional extension requests.

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 20, 2010 to serve its Expert Witness

Reports.

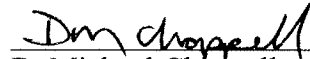
Complaint Counsel shall have until December 30, 2010 to identify its rebuttal expert(s).

Complaint Counsel shall have until January 8, 2011 to provide its rebuttal expert report(s).

Both parties shall have until January 21, 2011 to conduct depositions of experts, including rebuttal experts, and exchange expert related exhibits.

All remaining deadlines in the Scheduling Order are unchanged.

ORDERED:

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

Date: December 7, 2010