

**General Docket**  
**United States Court of Appeals for the Fourth Circuit**

<b>Court of Appeals Docket #:</b> 11-1679		<b>Docketed:</b> 07/05/2011	
<b>Nature of Suit:</b> 2890 Other Statutory Actions		<b>Termed:</b> 06/06/2013	
NC Board of Dental Examiners v. Federal Trade Commission			
<b>Appeal From:</b> United States District Court for the Eastern District of North Carolina at Raleigh			
<b>Fee Status:</b> fee paid			
<b>Case Type Information:</b>			
1) Civil U.S.			
2) United States			
3) null			
<b>Originating Court Information:</b>			
<b>District:</b> 0417-5 : <a href="#">5:11-cv-00049-FL</a>			
<b>Court Reporter:</b> Shannon Thuemmel Proctor, Court Reporter Coordinator			
<b>Presiding Judge:</b> Louise W. Flanagan, U. S. District Court Judge			
<b>Date Filed:</b> 02/01/2011			
<b>Date Order/Judgment:</b>	<b>Date Order/Judgment EOD:</b>	<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>
05/09/2011	05/09/2011	06/27/2011	06/30/2011
<b>Prior Cases:</b>			
None			
<b>Current Cases:</b>			
	<b>Lead</b>	<b>Member</b>	<b>Start</b>
Seriatim			<b>End</b>
	<a href="#">12-1172</a>	11-1679	02/28/2012

<p>NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS  Plaintiff - Appellant</p>	<p>Brenner Alexandria Allen  Direct: 919-755-0505  Email: ballen@allen-pinnix.com  [<b>COR NTC Retained</b>]  ALLEN, PINNIX &amp; NICHOLS, PA  Suite 301  P. O. Drawer 1270  Raleigh, NC 27602-0000</p> <p>Noel Lee Allen  Direct: 919-755-0505  Email: nla@allen-pinnix.com  [<b>COR NTC Retained</b>]  ALLEN, PINNIX &amp; NICHOLS, PA  P. O. Drawer 1270  Raleigh, NC 27602-0000</p> <p>Alfred Pershing Carlton, Jr.  Direct: 919-755-0505  Email: acarlton@allenpinnix.com  [<b>COR NTC Retained</b>]  ALLEN, PINNIX &amp; NICHOLS, PA  P. O. Drawer 1270  Raleigh, NC 27602-0000</p> <p>Catherine Lee  Direct: 919-755-0505  Email: clee@allenpinnix.com  [<b>COR NTC Retained</b>]  ALLEN, PINNIX &amp; NICHOLS, PA  P. O. Drawer 1270  Raleigh, NC 27602-0000</p> <p>Monroe Jackson Nichols  Direct: 919-755-0505  Email: mjn@allen-pinnix.com  [<b>COR NTC Retained</b>]  ALLEN, PINNIX &amp; NICHOLS, PA  Suite 301  P. O. Drawer 1270  Raleigh, NC 27602-0000</p>
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v.

FEDERAL TRADE COMMISSION  
Defendant - Appellee

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NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

Plaintiff - Appellant

v.

FEDERAL TRADE COMMISSION

Defendant - Appellee

07/05/2011	<input type="checkbox"/> <a href="#">1</a> 1 pg, 7.89 KB	Case docketed. Originating case number: 5:11-cv-00049-FL. Case manager: CBennett. Date notice of appeal filed: 06/27/2011 [11-1679] (CB)
07/05/2011	<input type="checkbox"/> <a href="#">2</a> 5 pg, 56.07 KB	DOCKETING NOTICE issued Re: <a href="#">[1]</a> , case docketed. Initial forms due within 14 days. Originating case number: 5:11-cv-00049-FL. Mailed to: Alfred Pershing Carlton Jr., Esquire and Monroe Jackson Nichols, Esquire. [11-1679] (CB)
07/19/2011	<input type="checkbox"/> <a href="#">3</a> 5 pg, 52.03 KB	DOCKETING STATEMENT by Appellant North Carolina State Board of Dental Examiners. [11-1679] Noel Allen
07/19/2011	<input type="checkbox"/> <a href="#">4</a> 1 pg, 89.56 KB	DISCLOSURE OF CORPORATE AFFILIATIONS (Local Rule 26.1) by Appellant North Carolina State Board of Dental Examiners. Was any question on Disclosure Form answered yes? No [998635429] [11-1679] Noel Allen
07/19/2011	<input type="checkbox"/> <a href="#">5</a> 1 pg, 15.88 KB	Letter re: impending change of appellant counsel's firm name by Appellant North Carolina State Board of Dental Examiners. [998635434] [11-1679] Noel Allen
07/19/2011	<input type="checkbox"/> <a href="#">6</a> 1 pg, 83.32 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Noel L. Allen for North Carolina State Board of Dental Examiners.[998635438] [11-1679] Noel Allen
07/19/2011	<input type="checkbox"/> <a href="#">7</a> 1 pg, 83.37 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by M. Jackson Nichols for North Carolina State Board of Dental Examiners.[998635447] [11-1679] Monroe Nichols
07/19/2011	<input type="checkbox"/> <a href="#">8</a> 1 pg, 83.44 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Alfred P. Carlton, Jr. for North Carolina State Board of Dental Examiners.[998635449] [11-1679] Alfred Carlton
07/19/2011	<input type="checkbox"/> <a href="#">9</a> 1 pg, 83.35 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Catherine E. Lee for North Carolina State Board of Dental Examiners.[998635451] [11-1679] Catherine Lee
07/20/2011	<input type="checkbox"/> <a href="#">10</a> 2 pg, 11.88 KB	BRIEFING ORDER filed.. Opening Brief and Appendix due 08/29/2011. Response Brief due 10/03/2011 [11-1679] (CB)
07/20/2011	<input type="checkbox"/> <a href="#">11</a> 5 pg, 22.75 KB	Initial mediation conference scheduled. [11-1679] (LP)
07/21/2011	<input type="checkbox"/> <a href="#">12</a> 1 pg, 32.03 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Seth M. Wood for Federal Trade Commission. [998637592] [11-1679] Seth Wood
08/01/2011	<input type="checkbox"/> <a href="#">13</a> 1 pg, 5.09 KB	ORDER filed [998644732] updating/ resuming briefing order deadlines. Opening brief and appendix due 09/29/2011. Response brief due 11/03/2011 Copies to all parties... [11-1679] (DSD)
09/27/2011	<input type="checkbox"/> <a href="#">14</a> 1 pg, 23.46 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Nathan E. Standley for North Carolina State Board of Dental Examiners.[998687912] [11-1679] Nathan Standley
09/28/2011	<input type="checkbox"/> <a href="#">15</a> 1 pg, 82.94 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Brie A. Allen for North Carolina State Board of Dental Examiners.[998688657] [11-1679] Brenner Allen
09/29/2011	<input type="checkbox"/> <a href="#">16</a> 4 pg, 36.74 KB	MOTION by Appellant North Carolina State Board of Dental Examiners to extend filing time for opening brief and appendix. Date and method of service: 09/29/2011 ecf [998689809] [11-1679] Noel Allen
09/29/2011	<input type="checkbox"/> <a href="#">17</a> 1 pg, 5.1 KB	ORDER filed [998689984] granting Motion to extend filing time <a href="#">[16]</a> , updating/ resuming briefing order deadlines. Opening brief and appendix due 10/06/2011. Response brief due 11/10/2011. Copies to all parties... [11-1679] (CB)
10/06/2011	<input type="checkbox"/> <a href="#">18</a> 69 pg, 242.74 KB	BRIEF by Appellant North Carolina State Board of Dental Examiners in electronic and paper format. Type of Brief: Opening. Method of Filing Paper Copies: courier. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 10/06/2011. Is this a redacted brief?No If yes, have you verified that the redacted material cannot be revealed by cutting and pasting text? N/A [998695749] [11-1679] Noel Allen
10/06/2011	<input type="checkbox"/> 20	OPENING BRIEF (PAPER) file-stamped, on behalf of North Carolina State Board of Dental Examiners. Number of pages: 69. Sufficient: YES. Entered on Docket Date: 10/14/2011. [998700323] [11-1679] (CB)
10/06/2011	<input type="checkbox"/> 21	APPENDIX (PAPER) file-stamped, on behalf of North Carolina State Board of Dental Examiners. Total number of volumes (including any sealed): 1. Total number of pages in all volumes: 164. Total number of sealed volumes: 0. Sufficient? Yes. CD/DVD/Other exhibit? No. If yes was it placed in brief box? N/A. Entered on Docket Date: 10/14/2011. [998700327] [11-1679] (CB)
10/11/2011	<input type="checkbox"/> <a href="#">19</a> 1 pg, 26.32 KB	CERTIFICATE OF SERVICE by Appellant North Carolina State Board of Dental Examiners. [11-1679] Noel Allen
11/01/2011	<input type="checkbox"/> <a href="#">22</a> 3 pg, 35.77 KB	MOTION by Appellee Federal Trade Commission to extend filing time for response brief until 11/24/11. Date and method of service: 11/01/2011 ecf [998714294] [11-1679] Seth Wood
11/02/2011	<input type="checkbox"/> <a href="#">23</a> 1 pg, 5 KB	ORDER filed [998714836] granting Motion to extend filing time <a href="#">[22]</a> , updating/ resuming briefing order deadlines. Response brief due 11/28/2011. Copies to all parties... [11-1679] (CB)
11/28/2011	<input type="checkbox"/> <a href="#">24</a> 41 pg, 152.1 KB	

BRIEF by Appellee Federal Trade Commission in electronic and paper format. Type of Brief: Response. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 11/29/2011. [998730847] [11-1679] Seth Wood

11/28/2011  [25](#) RESPONSE BRIEF (PAPER) file-stamped, on behalf of Federal Trade Commission. Number of pages: 41. Sufficient: YES. Entered on Docket Date: 12/06/2011. [998737667] [11-1679] (CB)

12/15/2011  [26](#) BRIEF by Appellant North Carolina State Board of Dental Examiners in electronic and paper format. Type of Brief: Reply. Method of Filing Paper Copies: courier. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 12/15/2011. [998745483] [11-1679] Noel Allen  
39 pg, 151.27 KB

12/15/2011  [28](#) REPLY BRIEF (PAPER) file-stamped, on behalf of North Carolina State Board of Dental Examiners. Number of pages: 39. Sufficient: YES. Entered on Docket Date: 12/20/2011. [998748915] [11-1679] (CB)

12/20/2011  [27](#) SUPPLEMENTAL AUTHORITIES (FRAP 28(j)) by Appellee Federal Trade Commission. [998748775]. [11-1679] Seth Wood  
11 pg, 115.4 KB

01/18/2012  [29](#) SUPPLEMENTAL AUTHORITIES (FRAP 28(j)) by Appellant North Carolina State Board of Dental Examiners. [998768014]. [11-1679] Noel Allen  
9 pg, 123.42 KB

01/18/2012  [30](#) SUPPLEMENTAL AUTHORITIES (FRAP 28(j)) response by Appellant North Carolina State Board of Dental Examiners. [998768023]. [11-1679] Noel Allen  
2 pg, 28.33 KB

06/08/2012  [31](#) CASE TENTATIVELY CALENDARED for oral argument during the 9/18/12 - 9/21/12 argument session. Notify Clerk's Office of any scheduling conflict by: 06/18/2012 [11-1679] (JLC)  
1 pg, 7.9 KB

06/15/2012  [32](#) NOTICE RE: CONFLICT WITH PROPOSED ARGUMENT DATES by Appellee Federal Trade Commission. Argument Session: September 18-21, 2012 Days you are available: None [11-1679] Seth Wood  
1 pg, 46.8 KB

06/18/2012  [33](#) NOTICE RE: CONFLICT WITH PROPOSED ARGUMENT DATES by Appellant North Carolina State Board of Dental Examiners. Argument Session: 9/18/12 - 9/21/12 Days you are available: 9/18 and 9/19 [11-1679] Noel Allen  
1 pg, 46.34 KB

06/18/2012  [34](#) CERTIFICATE OF SERVICE by Appellant North Carolina State Board of Dental Examiners. [11-1679] Noel Allen  
1 pg, 7.7 KB

06/19/2012  [35](#) CASE CONTINUED FROM TENTATIVE CALENDAR TO AWAITING CALENDAR. [998878406] [11-1679] (JLC)  
1 pg, 6.96 KB

07/13/2012  [36](#) CASE TENTATIVELY CALENDARED for oral argument during the 10/23/12 -10/26/12 argument session. Notify Clerk's Office of any scheduling conflict by: 07/23/2012 [11-1679] (JLC)  
1 pg, 7.89 KB

07/20/2012  [37](#) NOTICE RE: CONFLICT WITH PROPOSED ARGUMENT DATES by Appellant North Carolina State Board of Dental Examiners. Argument Session: 10/12 Days you are available: 10/23/2012 Other scheduling information: Both sides are available for the 12/12 session. [11-1679] Noel Allen  
1 pg, 47.73 KB

07/31/2012  [38](#) CASE CONTINUED FROM TENTATIVE CALENDAR TO AWAITING CALENDAR. [998906411] [11-1679] (JLC)  
1 pg, 6.96 KB

08/24/2012  [39](#) CASE TENTATIVELY CALENDARED for oral argument during the 12/4/12 - 12/7/12 argument session. Notify Clerk's Office of any scheduling conflict by: 09/04/2012 [11-1679] (JLC)  
1 pg, 7.9 KB

10/03/2012  [40](#) CASE CALENDARED for oral argument. Date: 12/05/2012. Registration Time: 8:45 - 9:00. Daily Arguments Begin: 9:30. [11-1679] (JLC)  
3 pg, 84.95 KB

10/09/2012  [41](#) ORAL ARGUMENT ACKNOWLEDGMENT by Appellee Federal Trade Commission. Counsel arguing: Seth M. Wood Answering argument time: 20 minutes [998954502] [11-1679] Seth Wood  
1 pg, 43.74 KB

10/09/2012  [42](#) ORAL ARGUMENT ACKNOWLEDGMENT by Appellant North Carolina State Board of Dental Examiners. Counsel arguing: Noel L. Allen and M. Jackson Nichols. Opening argument time: to be determined. Rebuttal argument time: to be determined. [998955329] [11-1679] Noel Allen  
1 pg, 104.94 KB

10/29/2012  [43](#) SUPPLEMENTAL AUTHORITIES (FRAP 28(j)) by Appellant North Carolina State Board of Dental Examiners. [998969332]. [11-1679] Noel Allen  
149 pg, 885.03 KB

11/02/2012  [44](#) COURT ORDER filed [998973146] file supplemental brief(s). Copies to all parties... [11-1679] (CB)  
2 pg, 75.38 KB

11/15/2012  [45](#) Supplemental BRIEF by Appellee Federal Trade Commission in electronic and paper format. Type of Brief: Supplemental Response. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 11/16/2012. [998982326] [11-1679] Seth Wood  
16 pg, 35.44 KB

11/15/2012  [47](#) SUPPLEMENTAL RESPONSE BRIEF (PAPER) file-stamped, on behalf of Federal Trade Commission. Number of pages: 16. Entered on Docket Date: 11/20/2012. [998985416] [11-1679] (CB)

11/19/2012  [46](#) Supplemental BRIEF by Appellant North Carolina State Board of Dental Examiners in electronic and paper format. Type of Brief: Supplemental Opening. Method of Filing Paper Copies: courier. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 11/19/2012. [998984490] [11-1679] Noel Allen  
19 pg, 56.93 KB

11/19/2012	<input type="checkbox"/>	<a href="#">48</a>	SUPPLEMENTAL OPENING BRIEF (PAPER) file-stamped, on behalf of North Carolina State Board of Dental Examiners. Number of pages: 19. Entered on the Docket Date: 11/20/2012. [998985422] [11-1679] (CB)
11/28/2012	<input type="checkbox"/>	<a href="#">49</a> 1 pg, 68.71 KB	COURT ORDER filed [998990431] removing case from argument calendar. Copies to all parties.. [11-1679] (CB)
06/06/2013	<input type="checkbox"/>	<a href="#">50</a> 1 pg, 70.41 KB	COURT ORDER filed [999124875] dismissing appeal as moot [50] Copies to all parties. [11-1679] (CT)
06/06/2013	<input type="checkbox"/>	<a href="#">51</a> 1 pg, 4.03 KB	MANDATE ISSUED UPON ENTRY OF ORDER/ JUDGMENT. Originating case number: 5:11-cv-00049-FL. Date of judgment: June 6, 2013. [11-1679] (CT)
06/07/2013	<input type="checkbox"/>	<a href="#">52</a> 1 pg, 68.13 KB	ORDER filed [999125433] vacating June 6, 2013 order issuing mandate, recalling mandate. Copies to all parties.. [11-1679] (SAW)
06/07/2013	<input type="checkbox"/>	<a href="#">53</a> 3 pg, 18.27 KB	JUDGMENT ORDER filed. Disposition method:. Decision: Dismissed. Originating case number: 5:11-cv-00049-FL. Entered on Docket Date: 06/07/2013. [999125461] Copies to all parties and the district court/agency. [11-1679] (SAW)
07/30/2013	<input type="checkbox"/>	<a href="#">54</a> 1 pg, 8.13 KB	Mandate issued. Referencing: <a href="#">53</a> Judgment Order, <a href="#">52</a> Order. Originating case number: 5:11-cv-00049-FL.. [11-1679] (CB)

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