

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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JERSEY DENTAL LABORATORIES f/k/a	:
Howard Hess Dental Laboratories Incorporated, and	:
PHILIP GUTTIEREZ d/b/a Dentures Plus, on behalf	:
of themselves and all others similarly situated,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
DENTSPLY INTERNATIONAL, INC., <u>et al.</u> And named	:
tooth dealers,	:
	:
Defendants.	:
	:
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Civil Action No. 01-267 (SLR)

**PLAINTIFFS' MOTION REQUESTING CERTIFICATION  
OF THE DISMISSALS OF PLAINTIFFS' EXCLUSIVE DEALING CLAIMS,  
PURSUANT TO RULE 54(b) OR 28 U.S.C. § 1292(b), AND FOR A STAY  
OF PROCEEDINGS DURING THE PENDENCY OF ANY APPEAL**

Pursuant to Federal Rule of Civil Procedure 54(b), and 28 U.S.C. § 1292(b), Plaintiffs Howard Hess Dental Laboratories Incorporated and Philip Guttierrez d/b/a Dentures Plus hereby move this Court for an order certifying the dismissals of Plaintiffs' exclusive dealing claims by the Court's memorandum opinion and order, dated September 26, 2007, for immediate appeal, pursuant to Fed. R. Civ. P. 54(b), or, in the alternative, pursuant to 28 U.S.C. § 1292(b).

The grounds for this motion are set forth in Plaintiffs' brief, which is submitted herewith.

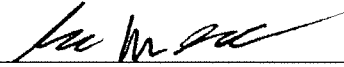
Plaintiffs have conferred with the Defendants, and Defendants have informed Plaintiffs

that they do not consent to this motion.

Dated: October 26, 2007

Respectfully submitted,

CHIMICLES & TIKELLIS LLP



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