

General Docket
United States Court of Appeals for the Fourth Circuit

Court of Appeals Docket #: 12-1172 The North Carolina State Board v. FTC Appeal From: Federal Trade Commission Fee Status: fee paid	Docketed: 02/13/2012 Termed: 05/31/2013										
Case Type Information: 1) Agency Review 2) Petition for Review 3) null											
Originating Court Information: District: FTC-1 : No. 9343 Date Decided: 12/02/2011 Date Rec'd COA: 02/10/2011											
Prior Cases: None											
Current Cases: <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">Lead</th> <th style="text-align: center;">Member</th> <th style="text-align: center;">Start</th> <th style="text-align: center;">End</th> </tr> </thead> <tbody> <tr> <td style="padding-left: 20px;">Seriatim</td> <td style="text-align: center;">12-1172</td> <td style="text-align: center;">11-1679</td> <td style="text-align: center;">02/28/2012</td> <td></td> </tr> </tbody> </table>			Lead	Member	Start	End	Seriatim	12-1172	11-1679	02/28/2012	
	Lead	Member	Start	End							
Seriatim	12-1172	11-1679	02/28/2012								

THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS Petitioner	<p>Brenner Alexandria Allen Direct: 919-755-0505 Email: ballen@allen-pinnix.com [COR NTC Retained] ALLEN, PINNIX & 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 [COR NTC Retained] ALLEN, PINNIX & NICHOLS, PA P. O. Drawer 1270 Raleigh, NC 27602-0000</p> <p>Stephen Daniel Feldman Direct: 919-865-7009 Email: stephen.feldman@elliswinters.com [COR NTC Retained] ELLIS & WINTERS, LLP P. O. Box 33550 Raleigh, NC 27636-0000</p> <p>Catherine Lee Direct: 919-755-0505 Email: clee@allenpinnix.com [COR NTC Retained] ALLEN, PINNIX & NICHOLS, PA P. O. Drawer 1270 Raleigh, NC 27602-0000</p> <p>Monroe Jackson Nichols Direct: 919-755-0505 Email: mjn@allen-pinnix.com [COR NTC Retained] ALLEN, PINNIX & NICHOLS, PA Suite 301 P. O. Drawer 1270 Raleigh, NC 27602-0000</p> <p>Matthew Woodruff Sawchak Direct: 919-865-7004 Email: matt.sawchak@elliswinters.com</p>
--	---

[COR NTC Retained]
ELLIS & WINTERS, LLP
P. O. Box 33550
Raleigh, NC 27636-0000

Nathan E. Standley
Direct: 919-755-0505
Email: nstandley@allenpinnix.com
[COR NTC Retained]
ALLEN, PINNIX & NICHOLS, PA
P. O. Drawer 1270
Raleigh, NC 27602-0000

Dixie Thomas Wells
Direct: 336-217-4197
Email: dixie.wells@elliswinters.com
[COR NTC Retained]
ELLIS & WINTERS, LLP
333 North Greene Street
Greensboro, NC 27401-0000

v.

FEDERAL TRADE COMMISSION
Respondent

Imad Dean Abyad
Direct: 202-326-2375
Email: iabyad@ftc.gov
[COR NTC Government]
FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580-0000

Donald S. Clark
Direct: 202-326-2514
[On Brief]
FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580-0000

John F. Daly
Direct: 202-326-2244
Email: jdaly@ftc.gov
[COR NTC Government]
FEDERAL TRADE COMMISSION
Room H-582
600 Pennsylvania Avenue, NW
Washington, DC 20580-0000

Willard K. Tom
[NTC On Brief]
FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580-0000

AMERICAN DENTAL ASSOCIATION
Amicus Supporting Petitioner

Jack R. Bierig
Direct: 312-853-7000
Email: jbierig@sidley.com
[COR NTC Retained]
SIDLEY & AUSTIN, LLP
Suite 4900
1 South Dearborn Street
Chicago, IL 60603-0000

Dale E. Thomas
[NTC On Brief]
SIDLEY & AUSTIN, LLP
1 South Dearborn Street
Chicago, IL 60603-0000

AMERICAN OSTEOPATHIC ASSOCIATION
Amicus Supporting Petitioner

Jack R. Bierig
Direct: 312-853-7000

	[COR NTC Retained] (see above)
	Dale E. Thomas [NTC On Brief] (see above)
AMERICAN VETERINARY MEDICAL ASSOCIATION Amicus Supporting Petitioner	Jack R. Bierig Direct: 312-853-7000 [COR NTC Retained] (see above)
	Dale E. Thomas [NTC On Brief] (see above)
AMERICAN ACADEMY OF PEDIATRIC DENTISTRY Amicus Supporting Petitioner	Jack R. Bierig Direct: 312-853-7000 [COR NTC Retained] (see above)
	Dale E. Thomas [NTC On Brief] (see above)
AMERICAN ACADEMY OF PERIODONTOLOGY Amicus Supporting Petitioner	Jack R. Bierig Direct: 312-853-7000 [COR NTC Retained] (see above)
	Dale E. Thomas [NTC On Brief] (see above)
AMERICAN ASSOCIATION OF ORTHODONTISTS Amicus Supporting Petitioner	Jack R. Bierig Direct: 312-853-7000 [COR NTC Retained] (see above)
	Dale E. Thomas [NTC On Brief] (see above)
AMERICAN ASSOCIATION OF DENTAL BOARDS Amicus Supporting Petitioner	Jack R. Bierig Direct: 312-853-7000 [COR NTC Retained] (see above)
	Dale E. Thomas [NTC On Brief] (see above)
FEDERATION OF STATE MEDICAL BOARDS Amicus Supporting Petitioner	Jack R. Bierig Direct: 312-853-7000 [COR NTC Retained] (see above)
	Dale E. Thomas [NTC On Brief] (see above)
AMERICAN MEDICAL ASSOCIATION Amicus Supporting Petitioner	John Mitchell Armbruster Direct: 919-821-6707 Email: marmbruster@smithlaw.com [COR NTC Retained] SMITH, ANDERSON, BLOUNT, DORSETT, MITCHELL & JERNIGAN, LLP P. O. Box 2611 Raleigh, NC 27602-2611
	Stephen W. Keene Direct: 919-833-3836

	<p>[NTC On Brief] NORTH CAROLINA MEDICAL SOCIETY 222 North Person Street Raleigh, NC 27611</p>
	<p>Leonard Arthur Nelson Direct: 312-464-5142 [NTC On Brief] AMERICAN MEDICAL ASSOCIATION 515 North State Street Chicago, IL 60610-0000</p>
NORTH CAROLINA MEDICAL SOCIETY Amicus Supporting Petitioner	<p>John Mitchell Armbruster Direct: 919-821-6707 [COR NTC Retained] (see above)</p> <p>Stephen W. Keene Direct: 919-833-3836 [NTC On Brief] (see above)</p> <p>Leonard Arthur Nelson Direct: 312-464-5142 [NTC On Brief] (see above)</p>
SOUTH CAROLINA MEDICAL ASSOCIATION Amicus Supporting Petitioner	<p>John Mitchell Armbruster Direct: 919-821-6707 [COR NTC Retained] (see above)</p> <p>Stephen W. Keene Direct: 919-833-3836 [NTC On Brief] (see above)</p> <p>Leonard Arthur Nelson Direct: 312-464-5142 [NTC On Brief] (see above)</p>
MEDICAL SOCIETY OF VIRGINIA Amicus Supporting Petitioner	<p>John Mitchell Armbruster Direct: 919-821-6707 [COR NTC Retained] (see above)</p> <p>Stephen W. Keene Direct: 919-833-3836 [NTC On Brief] (see above)</p> <p>Leonard Arthur Nelson Direct: 312-464-5142 [NTC On Brief] (see above)</p>
WEST VIRGINIA STATE MEDICAL ASSOCIATION Amicus Supporting Petitioner	<p>John Mitchell Armbruster Direct: 919-821-6707 [COR NTC Retained] (see above)</p> <p>Stephen W. Keene Direct: 919-833-3836 [NTC On Brief] (see above)</p> <p>Leonard Arthur Nelson Direct: 312-464-5142 [NTC On Brief] (see above)</p>

NATIONAL ASSOCIATION OF BOARDS OF PHARMACY
Amicus Supporting Petitioner

Julia C. Ambrose
Direct: 919-839-0300
Email: jambrose@brookspierce.com
[COR NTC Retained]
BROOKS, PIERCE, MCLENDON, HUMPHREY & LEONARD
Suite 1600
Wells Fargo Capitol Center
150 Fayetteville Street
P. O. Box 1800
Raleigh, NC 27602

Clinton Russell Pinyan
Direct: 336-373-8850
Email: cpinyan@brookspierce.com
[COR NTC Retained]
BROOKS, PIERCE, MCLENDON, HUMPHREY & LEONARD, LLP
2000 Renaissance Plaza
230 North Elm Street
P. O. Box 26000
Greensboro, NC 27420-0000

NORTH CAROLINA BOARD OF PHARMACY
Amicus Supporting Petitioner

Julia C. Ambrose
Direct: 919-839-0300
[COR NTC Retained]
(see above)

Clinton Russell Pinyan
Direct: 336-373-8850
[COR NTC Retained]
(see above)

THE FEDERATION OF STATE BOARDS OF PHYSICAL
THERAPY
Amicus Supporting Petitioner

Jeremy Waters Cline
Direct: 202-835-6166
Email: jeremy.cline@bakermckenzie.com
[NTC On Brief]
BAKER & MCKENZIE, LLP
815 Connecticut Avenue, NW
Washington, DC 20006-4078

Jennifer Ancona Semko
Direct: 202-835-4250
Email: jennifer.semko@bakermckenzie.com
[NTC On Brief]
BAKER & MCKENZIE, LLP
815 Connecticut Avenue, NW
Washington, DC 20006-4078

Lee K. Van Voorhis
Direct: 202-835-6162
Email: lee.vanvoorhis@bakermckenzie.com
[COR NTC Retained]
BAKER & MCKENZIE, LLP
815 Connecticut Avenue, NW
Washington, DC 20006-4078

THE FEDERATION OF ASSOCIATIONS OF REGULATORY
BOARDS
Amicus Supporting Petitioner

Jeremy Waters Cline
Direct: 202-835-6166
[NTC On Brief]
(see above)

Jennifer Ancona Semko
Direct: 202-835-4250
[NTC On Brief]
(see above)

Lee K. Van Voorhis
Direct: 202-835-6162
[COR NTC Retained]
(see above)

THE ASSOCIATION OF SOCIAL WORK BOARDS
Amicus Supporting Petitioner

Jeremy Waters Cline
Direct: 202-835-6166

	[NTC On Brief] (see above)
	Jennifer Ancona Semko Direct: 202-835-4250 [NTC On Brief] (see above)
	Lee K. Van Voorhis Direct: 202-835-6162 [COR NTC Retained] (see above)
THE AMERICAN ASSOCIATION OF VETERINARY STATE BOARDS Amicus Supporting Petitioner	Jeremy Waters Cline Direct: 202-835-6166 [NTC On Brief] (see above)
	Jennifer Ancona Semko Direct: 202-835-4250 [NTC On Brief] (see above)
	Lee K. Van Voorhis Direct: 202-835-6162 [COR NTC Retained] (see above)
THE FEDERATION OF CHIROPRACTIC LICENSING BOARDS Amicus Supporting Petitioner	Jeremy Waters Cline Direct: 202-835-6166 [NTC On Brief] (see above)
	Jennifer Ancona Semko Direct: 202-835-4250 [NTC On Brief] (see above)
	Lee K. Van Voorhis Direct: 202-835-6162 [COR NTC Retained] (see above)
THE FEDERATION OF STATE MASSAGE THERAPY BOARDS Amicus Supporting Petitioner	Jeremy Waters Cline Direct: 202-835-6166 [NTC On Brief] (see above)
	Jennifer Ancona Semko Direct: 202-835-4250 [NTC On Brief] (see above)
	Lee K. Van Voorhis Direct: 202-835-6162 [COR NTC Retained] (see above)
INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS, INCORPORATED Amicus Supporting Petitioner	Jeremy Waters Cline Direct: 202-835-6166 [NTC On Brief] (see above)
	Jennifer Ancona Semko Direct: 202-835-4250 [NTC On Brief] (see above)
	Lee K. Van Voorhis Direct: 202-835-6162 [COR NTC Retained] (see above)

THE NATIONAL ASSOCIATION OF LONG TERM CARE
ADMINISTRATOR BOARDS
Amicus Supporting Petitioner

Jeremy Waters Cline
Direct: 202-835-6166
[NTC On Brief]
(see above)

Jennifer Ancona Semko
Direct: 202-835-4250
[NTC On Brief]
(see above)

Lee K. Van Voorhis
Direct: 202-835-6162
[COR NTC Retained]
(see above)

THE NATIONAL BOARD FOR CERTIFICATION IN
OCCUPATIONAL THERAPY
Amicus Supporting Petitioner

Jeremy Waters Cline
Direct: 202-835-6166
[NTC On Brief]
(see above)

Jennifer Ancona Semko
Direct: 202-835-4250
[NTC On Brief]
(see above)

Lee K. Van Voorhis
Direct: 202-835-6162
[COR NTC Retained]
(see above)

NORTH CAROLINA STATE BAR
Amicus Supporting Petitioner

Everett J. Bowman
Direct: 704-377-8329
Email: ebowman@rbh.com
[COR NTC Retained]
ROBINSON BRADSHAW & HINSON, PA
Suite 1900
101 North Tryon Street
Charlotte, NC 28246

Roy Cooper, Attorney General
Email: ncago@ncdoj.gov
[On Brief]
NORTH CAROLINA DEPARTMENT OF JUSTICE
114 West Edenton Street
P. O. Box 629
Raleigh, NC 27602

Grayson Gordon Kelley
Direct: 919-716-6900
Email: gkelley@ncdoj.gov
[On Brief]
NORTH CAROLINA DEPARTMENT OF JUSTICE
114 West Edenton Street
P. O. Box 629
Raleigh, NC 27602

John Foster Maddrey
Direct: 919-716-6919
Email: jmaddrey@ncdoj.gov
[COR NTC Government]
NORTH CAROLINA DEPARTMENT OF JUSTICE
114 West Edenton Street
P. O. Box 629
Raleigh, NC 27602

Mark William Merritt, Esq.
Direct: 704-377-8337
Email: mmerritt@rbh.com
[COR NTC Retained]
ROBINSON BRADSHAW & HINSON, PA
Suite 1900
101 North Tryon Street

AMERICAN ANTITRUST INSTITUTE
Amicus Supporting Respondent

Charlotte, NC 28246

Lawrence Carlton Moore, III
Direct: 704-377-8303
Email: lmoore@rbh.com
[COR NTC Retained]
ROBINSON BRADSHAW & HINSON, PA
Suite 1900
101 North Tryon Street
Charlotte, NC 28246

Richard M. Brunell
Direct: 202-600-9640
[NTC On Brief]
AMERICAN ANTITRUST INSTITUTE
2919 Ellicott Street, NW
Washington, DC 20008

Peter Carstensen
[NTC On Brief]
UNIVERSITY OF WISCONSIN LAW SCHOOL
Firm: 608-263-7416
975 Bascom Mall
Madison, WI 53706

Ryan W. Marth
Direct: 612-349-8500
Email: rwmarth@rkmc.com
[COR NTC Retained]
ROBINS, KAPLAN, MILLER & CIRESI
Suite 2800
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015

K. Craig Wildfang
Direct: 612-349-8500 x8554
[NTC On Brief]
ROBINS, KAPLAN, MILLER & CIRESI
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015

THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

Petitioner

v.

FEDERAL TRADE COMMISSION

Respondent

AMERICAN DENTAL ASSOCIATION; AMERICAN OSTEOPATHIC ASSOCIATION; AMERICAN VETERINARY MEDICAL ASSOCIATION; AMERICAN ACADEMY OF PEDIATRIC DENTISTRY; AMERICAN ACADEMY OF PERIODONTOLOGY; AMERICAN ASSOCIATION OF ORTHODONTISTS; AMERICAN ASSOCIATION OF DENTAL BOARDS; FEDERATION OF STATE MEDICAL BOARDS; AMERICAN MEDICAL ASSOCIATION; NORTH CAROLINA MEDICAL SOCIETY; SOUTH CAROLINA MEDICAL ASSOCIATION; MEDICAL SOCIETY OF VIRGINIA; WEST VIRGINIA STATE MEDICAL ASSOCIATION; NATIONAL ASSOCIATION OF BOARDS OF PHARMACY; NORTH CAROLINA BOARD OF PHARMACY; THE FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY; THE FEDERATION OF ASSOCIATIONS OF REGULATORY BOARDS; THE ASSOCIATION OF SOCIAL WORK BOARDS; THE AMERICAN ASSOCIATION OF VETERINARY STATE BOARDS; THE FEDERATION OF CHIROPRACTIC LICENSING BOARDS; THE FEDERATION OF STATE MASSAGE THERAPY BOARDS; INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS, INCORPORATED; THE NATIONAL ASSOCIATION OF LONG TERM CARE ADMINISTRATOR BOARDS; THE NATIONAL BOARD FOR CERTIFICATION IN OCCUPATIONAL THERAPY; NORTH CAROLINA STATE BAR

Amici Supporting Petitioner

AMERICAN ANTITRUST INSTITUTE

Amicus Supporting Respondent

02/10/2012	<input type="checkbox"/> 2 218 pg, 6.49 MB	Petition for review of agency order (FRAP 15) filed by The North Carolina State Board of Dental Examiners.[998787153] [12-1172] (BB)
02/10/2012	<input type="checkbox"/> 3	Electronic filing fee paid. Filing Fee:\$450.00. [12-1172] (BB)
02/13/2012	<input type="checkbox"/> 1 1 pg, 7.55 KB	Case docketed. Originating case number: Docket No. 9343. Case manager: Brian Bain. Date notice of appeal filed: [12-1172] (BB)
02/13/2012	<input type="checkbox"/> 4 5 pg, 101.16 KB	DOCKETING NOTICE issued Re: [1] case docketed , [2] petition for review Initial forms due within 14 days. Originating case number: No. 9343. Mailed to: Bloom, Dagen, Lanning. [12-1172] (BB)
02/13/2012	<input type="checkbox"/> 5 2 pg, 10.64 KB	BRIEFING ORDER filed. Mailed to: Bloom, Dagen, Lanning. Opening Brief and Appendix due 03/26/2012. Response Brief due 04/26/2012. Record on appeal due 03/26/2012 [12-1172] (BB)
02/17/2012	<input type="checkbox"/> 6 1 pg, 50.81 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Imad Dean Abyad for FTC.[998791418] [12-1172] Imad Abyad
02/21/2012	<input type="checkbox"/> 7 1 pg, 30.82 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by John F. Daly for FTC.[998792921] [12-1172] John Daly
02/23/2012	<input type="checkbox"/> 8 4 pg, 21.38 KB	MOTION by Petitioner The North Carolina State Board of Dental Examiners to extend filing time for opening brief and appendix until April 26, 2012. Date and method of service: 02/23/2012 ecf [998795489] [12-1172] Noel Allen
02/23/2012	<input type="checkbox"/> 9 2 pg, 136.22 KB	DISCLOSURE OF CORPORATE AFFILIATIONS (Local Rule 26.1) by Petitioner The North Carolina State Board of Dental Examiners. Was any question on Disclosure Form answered yes? No [998795490] [12-1172] Noel Allen
02/24/2012	<input type="checkbox"/> 10 1 pg, 50.94 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Noel L. Allen for The North Carolina State Board of Dental Examiners.[998796458] [12-1172] Noel Allen
02/24/2012	<input type="checkbox"/> 11 1 pg, 50.95 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by M. Jackson Nichols for The North Carolina State Board of Dental Examiners.[998796459] [12-1172] Monroe Nichols
02/24/2012	<input type="checkbox"/> 12 1 pg, 50.95 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Nathan E. Standley for The North Carolina State Board of Dental Examiners.[998796460] [12-1172] Nathan Standley
02/24/2012	<input type="checkbox"/> 13 1 pg, 50.95 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Brenner A. Allen for The North Carolina State Board of Dental Examiners.[998796463] [12-1172] Brenner Allen
02/24/2012	<input type="checkbox"/> 14 1 pg, 50.95 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Catherine E. Lee for The North Carolina State Board of Dental Examiners.[998796465] [12-1172] Catherine Lee
02/27/2012	<input type="checkbox"/> 16 9 pg, 104.96 KB	DOCKETING STATEMENT by Petitioner The North Carolina State Board of Dental Examiners. [12-1172] Noel Allen
03/01/2012	<input type="checkbox"/> 17 1 pg, 5.12 KB	ORDER filed [998800325] granting motion for extension of time. Opening brief and appendix due 04/16/2012. Response brief due 05/17/2012. Copies to all parties... [12-1172] (BB)
03/01/2012	<input type="checkbox"/>	Case manager changed. [12-1172] (BW)
03/01/2012	<input type="checkbox"/> 18 1 pg, 5.01 KB	ORDER filed [998800712] updating/ resuming briefing order deadlines. Opening brief and appendix due 04/26/2012. Response brief due 05/29/2012 Copies to all parties... [12-1172] (BB)
03/28/2012	<input type="checkbox"/> 19 29 pg, 1.09 MB	CERTIFIED LIST (FRAP 17) by Respondent FTC. [12-1172] Imad Abyad
04/05/2012	<input type="checkbox"/> 20 3 pg, 86.67 KB	Joint MOTION by Petitioner The North Carolina State Board of Dental Examiners to approve/authorize Motion to Defer Joint Appendix pursuant to FRAP 30(c), to defer Joint Appendix. Date and method of service: 04/05/2012 ecf [998827299] [12-1172] Noel Allen
04/06/2012	<input type="checkbox"/> 21 1 pg, 4.9 KB	ORDER filed [998827548] granting Motion to defer appendix [20] , suspending current briefing schedule. Copies to all parties... [12-1172] (CB)
04/06/2012	<input type="checkbox"/> 22 2 pg, 13.68 KB	BRIEFING ORDER filed -- FRAP 30(c) Schedule.. Page-Proof Opening Brief due: 04/26/2012. Page-Proof Response Brief due: 05/29/2012. Appendix under FRAP 30(c) due: 06/19/2012. All Briefs in Final Form due 13 days after FRAP 30(c) Appendix served. [12-1172] (CB)
04/13/2012	<input type="checkbox"/> 23 10 pg, 68.39 KB	MOTION by Petitioner The North Carolina State Board of Dental Examiners to extend filing time for opening brief until 40 days from filing of entire record with Clerk's office, or, alternatively, 40 days from the current filing deadline. Date and method of service: 04/13/2012 ecf [998832552] [12-1172] Noel Allen
04/16/2012	<input type="checkbox"/> 24 1 pg, 6.24 KB	NOTICE ISSUED to FTC requesting response to Motion to extend filing time [23] . Response due: 04/20/2012.[998833338].. [12-1172] (CB)
04/18/2012	<input type="checkbox"/> 25 29 pg, 177.48 KB	Amended CERTIFIED LIST (FRAP 17) by Respondent FTC. [12-1172] Imad Abyad

04/19/2012	<input type="checkbox"/> 26 25 pg, 286.3 KB	RESPONSE/ANSWER by FTC to Motion to extend filing time [23] . Nature of response: in opposition. [12-1172] Imad Abyad
04/19/2012	<input type="checkbox"/> 27 6 pg, 32.82 KB	REPLY by The North Carolina State Board of Dental Examiners to Response [26] , Motion to extend filing time [23] . [12-1172] Noel Allen
04/20/2012	<input type="checkbox"/> 28 2 pg, 7.17 KB	ORDER filed [998836519] granting Motion to extend filing time [23] , updating/ resuming Rule 30(c) briefing order deadlines Page-Proof Opening Brief due: 05/10/2012. Page-Proof Response Brief due: 06/12/2012. Copies to all parties... [12-1172] (CB)
04/20/2012	<input type="checkbox"/> 29 1 pg, 18.74 KB	NOTICE re: designation of lead counsel by The North Carolina State Board of Dental Examiners. [12-1172] Noel Allen
04/30/2012	<input type="checkbox"/> 30 4 pg, 19.79 KB	MOTION by Petitioner The North Carolina State Board of Dental Examiners for Permission to File a Longer Opening Brief. Date and method of service: 04/30/2012 ecf. [998843923] [12-1172] Noel Allen
05/01/2012	<input type="checkbox"/> 31 1 pg, 6.1 KB	NOTICE ISSUED to Mr. Imad Dean Abyad for FTC and Mr. John F. Daly for FTC requesting response to Motion for oversized brief [30] . Response due: 05/04/2012.[998844119].. [12-1172] (CB)
05/01/2012	<input type="checkbox"/> 32 16 pg, 125.88 KB	RESPONSE/ANSWER by FTC to Motion to exceed length limitations [30] . Nature of response: in opposition. [12-1172] Imad Abyad
05/02/2012	<input type="checkbox"/> 33 5 pg, 23.64 KB	REPLY by The North Carolina State Board of Dental Examiners to Response [32] . [12-1172] Noel Allen
05/04/2012	<input type="checkbox"/> 34 1 pg, 5.85 KB	COURT ORDER filed [998847375] denying Motion to exceed length limitations [30] . Copies to all parties... [12-1172]--[Edited 05/08/2012 by CB] (CB)
05/10/2012	<input type="checkbox"/> 35 105 pg, 396.07 KB	FRAP 30(c) PAGE-PROOF OPENING BRIEF by Petitioner The North Carolina State Board of Dental Examiners. [12-1172] Noel Allen
05/16/2012	<input type="checkbox"/> 36 56 pg, 1.68 MB	MOTION by American Dental Association, American Osteopathic Association, American Veterinary Medical Association, American Academy of Pediatric Dentistry, American Academy of Periodontology, American Association of Orthodontists to file amicus curiae brief (FRAP 29(e)) with consent of all parties on appeal within time allowed by FRAP 29(e).. Date and method of service: 05/16/2012 ecf. [998856139] [12-1172] Jack Bierig
05/16/2012	<input type="checkbox"/> 47 48 pg, 1.88 MB	AMICUS CURIAE/INTERVENOR BRIEF by Amici Supporting Petitioner American Dental Association, American Osteopathic Association, American Veterinary Medical Association, American Academy of Pediatric Dentistry, American Academy of Periodontology, American Association of Orthodontists, American Association of Dental Boards and Federation of State Medical Boards in electronic and paper format. Type of Brief: Amicus Curiae. Method of Filing Paper Copies: mail. [998857529] [12-1172] (CB)
05/16/2012	<input type="checkbox"/> 58	AMICUS CURIAE BRIEF (PAPER) file-stamped, on behalf of American Academy of Pediatric Dentistry, American Academy of Periodontology, American Association of Dental Boards, American Association of Orthodontists, American Dental Association, American Osteopathic Association, American Veterinary Medical Association and Federation of State Medical Boards. Number of pages: 48. Entered on Docket Date: 05/25/2012.[998862200] [12-1172] (CB)
05/17/2012	<input type="checkbox"/> 37 1 pg, 59.77 KB	DISCLOSURE OF CORPORATE AFFILIATIONS (Local Rule 26.1) by Amici Supporting Petitioner American Academy of Pediatric Dentistry, American Academy of Periodontology, American Association of Dental Boards, American Association of Orthodontists, American Dental Association, American Osteopathic Association, American Veterinary Medical Association and Federation of State Medical Boards. Was any question on Disclosure Form answered yes? No [998856519] [12-1172] (CB)
05/17/2012	<input type="checkbox"/> 38 1 pg, 50.96 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Jack R. Bierig for American Academy of Pediatric Dentistry, American Academy of Periodontology, American Association of Dental Boards, American Association of Orthodontists, American Dental Association, American Osteopathic Association, American Veterinary Medical Association and Federation of State Medical Boards.[998856569] [12-1172] Jack Bierig
05/17/2012	<input type="checkbox"/> 39 37 pg, 227.02 KB	MOTION by American Medical Association, North Carolina Medical Society, South Carolina Medical Association, Medical Society of Virginia, West Virginia State Medical Association (amicus curiae) to file amicus curiae brief (FRAP 29(e)) with consent of all parties on appeal within time allowed by FRAP 29(e).. Date and method of service: 05/17/2012 ecf. [998856831] [12-1172] John Armbruster
05/17/2012	<input type="checkbox"/> 46 32 pg, 108.7 KB	AMICUS CURIAE/INTERVENOR BRIEF by Amici Supporting Petitioner by AMA, Medical Society of Virginia, North Carolina Medical Society, South Carolina Medical Association and West Virginia State Medical Association in electronic and paper format. Type of Brief: Amicus Curiae. Method of Filing Paper Copies: mail. [998857465] [12-1172] (CB)
05/17/2012	<input type="checkbox"/> 40 46 pg, 687.34 KB	AMICUS CURIAE/INTERVENOR BRIEF by National Association of Boards of Pharmacy and North Carolina Board of Pharmacy as Amici Curiae Supporting Petitioner and Reversal in electronic and paper format. Type of Brief: Amicus Curiae. Method of Filing Paper Copies: hand delivery. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 05/17/2012. [998856895] [12-1172] Matthew Sawchak
05/17/2012	<input type="checkbox"/> 41 5 pg, 74.45 KB	

- MOTION by National Association of Boards of Pharmacy and North Carolina Board of Pharmacy as Amici Curiae Supporting Petitioner and Reversal leave to file amicus curiae Brief [\[40\]](#). Date and method of service: 05/17/2012 ecf. [998856900] [12-1172] Matthew Sawchak
- 05/17/2012 [42](#)
12 pg, 175.84 KB MOTION by THE FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY, ET AL IN SUPPORT OF PETITIONER to file amicus curiae brief (FRAP 29(e)) with consent of all parties on appeal within time allowed by FRAP 29(e).. Date and method of service: 05/17/2012 ecf. [998856917] [12-1172] Lee Van Voorhis
- 05/17/2012 [43](#)
39 pg, 169.17 KB AMICUS CURIAE/INTERVENOR BRIEF by THE FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY, ET AL IN SUPPORT OF PETITIONER in electronic and paper format. Type of Brief: Amicus Curiae. Method of Filing Paper Copies: hand delivery. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 05/17/2012. [998856918] [12-1172] Lee Van Voorhis
- 05/17/2012 [53](#) AMICUS CURIAE BRIEF (PAPER) file-stamped, on behalf of AMA, Medical Society of Virginia, North Carolina Medical Society, South Carolina Medical Association and West Virginia State Medical Association. Number of pages: 32. Entered on Docket Date: 05/23/2012.[998860663] [12-1172] (CB)
- 05/17/2012 [54](#) AMICUS CURIAE BRIEF (PAPER) file-stamped, on behalf of The Federation of State Boards of Physical Therapy, The Federation of Associations of Regulatory Boards, The Association of Social Work Boards, The American Association of Veterinary State Boards, The Federation of Chiropractic Licensing Boards, The Federation of State Massage Therapy Boards, International Conference of Funeral Service Examining Boards, Incorporated, The National Association of Long Term Care Administrator Boards and The National Board for Certification in Occupational Therapy. Number of pages: 37. Entered on Docket Date: 05/23/2012.[998860678] [12-1172] (CB)
- 05/17/2012 [55](#)
2 pg, 65.13 KB APPEARANCE OF COUNSEL (Local Rule 46(c)) by Lee K. Van Voorhis for The Federation of State Boards of Physical Therapy, The Federation of Associations of Regulatory Boards, The Association of Social Work Boards, The American Association of Veterinary State Boards, The Federation of Chiropractic Licensing Boards, The Federation of State Massage Therapy Boards, International Conference of Funeral Service Examining Boards, Incorporated, The National Association of Long Term Care Administrator Boards and The National Board for Certification in Occupational Therapy .[998860702] [12-1172] (CB)
- 05/17/2012 [56](#) AMICUS CURIAE BRIEF (PAPER) file-stamped, on behalf of National Association of Boards of Pharmacy and North Carolina Board of Pharmacy. Number of pages: 45. Entered on Docket Date: 05/23/2012. [998860726] [12-1172] (CB)
- 05/17/2012 [57](#)
1 pg, 25.45 KB APPEARANCE OF COUNSEL (Local Rule 46(c)) for National Association of Boards of Pharmacy and North Carolina Board of Pharmacy.[998860733] [12-1172] (CB)
- 05/18/2012 [44](#)
2 pg, 42.41 KB DISCLOSURE OF CORPORATE AFFILIATIONS (Local Rule 26.1) by Amici Supporting Petitioner AMA, Medical Society of Virginia, North Carolina Medical Society, South Carolina Medical Association and West Virginia State Medical Association. Was any question on Disclosure Form answered yes? No [998857156] [12-1172] (CB)
- 05/18/2012 [45](#)
1 pg, 39.49 KB APPEARANCE OF COUNSEL (Local Rule 46(c)) for AMA, Medical Society of Virginia, North Carolina Medical Society, South Carolina Medical Association and West Virginia State Medical Association. [998857178] [12-1172] John Armbruster
- 05/18/2012 [48](#)
2 pg, 7.25 KB ORDER filed [998857545] granting Motion to file amicus curiae brief for American Dental Association, American Osteopathic Association, American Veterinary Medical Association, American Academy of Pediatric Dentistry, American Academy of Periodontology, American Association of Orthodontists, American Association of Dental Boards and Federation of State Medical Boards [\[36\]](#). Copies to all parties... [12-1172] (CB)
- 05/18/2012 [49](#)
2 pg, 6.69 KB ORDER filed [998857562] granting Motion to file amicus curiae brief [\[39\]](#) by American Medical Association, North Carolina Medical Society, South Carolina Medical Association, Medical Society of Virginia, West Virginia State Medical Association. Copies to all parties... [12-1172] (CB)
- 05/18/2012 [50](#)
2 pg, 6.59 KB ORDER filed [998857575] granting Motion for leave to file amicus brief [\[41\]](#) by National Association of Boards of Pharmacy and North Carolina Boards of Pharmacy. Copies to all parties... [12-1172] (CB)
- 05/18/2012 [51](#)
2 pg, 6.97 KB ORDER filed [998857586] granting Motion to file amicus curiae brief [\[42\]](#) by The Federation of State Boards of Physical Therapy, The Federation of Associations of Regulatory Boards, The Association of Social Work Boards, The American Association of Veterinary State Boards, The Federation of Chiropractic Licensing Boards, The Federation of State Massage Therapy Boards, International Conference of Funeral Service Examining Boards, Incorporated, The National Association of Long Term Care Administrator Boards and The National Board for Certification in Occupational Therapy. Copies to all parties... [12-1172] (CB)
- 05/21/2012 [52](#)
1 pg, 52.95 KB APPEARANCE OF COUNSEL (Local Rule 46(c)) by Stephen D. Feldman for National Association of Boards of Pharmacy and North Carolina Board of Pharmacy.[998857863] [12-1172] Stephen Feldman
- 05/29/2012 [59](#)
4 pg, 11.24 KB MOTION by Respondent FTC to extend filing time for response brief until June 29, 2012. Date and method of service: 05/29/2012 ecf. [998863381] [12-1172] Imad Abyad

05/30/2012	<input type="checkbox"/>	60 2 pg, 7.16 KB	ORDER filed [998863788] granting Motion to extend filing time [59] , updating/ resuming Rule 30(c) briefing order deadlines. Page-Proof Response Brief due: 06/29/2012. Appendix under FRAP 30(c) due: 07/06/2012. Copies to all parties... [12-1172] (CB)
06/27/2012	<input type="checkbox"/>	61 72 pg, 156.44 KB	FRAP 30(c) PAGE-PROOF RESPONSE BRIEF by Respondent FTC. [12-1172] Imad Abyad
07/05/2012	<input type="checkbox"/>	62 48 pg, 259.85 KB	AMICUS CURIAE/INTERVENOR BRIEF by American Antitrust Institute in electronic and paper format. Type of Brief: Amicus Curiae. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 07/05/2012. [998889090] [12-1172] Scott Kranz
07/05/2012	<input type="checkbox"/>	68	AMICUS CURIAE BRIEF (PAPER) file-stamped, on behalf of American Antitrust Institute. Number of pages: 47. Entered on Docket Date: 07/16/2012.[998895291] [12-1172] (CB)
07/05/2012	<input type="checkbox"/>	69 1 pg, 24.83 KB	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Ryan Marth for American Antitrust Institute. [998895306] [12-1172] (CB)
07/05/2012	<input type="checkbox"/>	70 2 pg, 44.93 KB	DISCLOSURE OF CORPORATE AFFILIATIONS (Local Rule 26.1) by Amicus Supporting Respondent American Antitrust Institute. Was any question on Disclosure Form answered yes? No [998895310] [12-1172] (CB)
07/06/2012	<input type="checkbox"/>	63 1823 pg, 39.48 MB	FULL ELECTRONIC APPENDIX and full paper appendix by Petitioner The North Carolina State Board of Dental Examiners. Method of Filing Paper Copies:courier. Date paper copies mailed, dispatched or delivered to court : 07/06/2012. Has district court 90-day restriction expired for all transcripts included in appendix? Not applicable [998889841] [12-1172] Noel Allen
07/06/2012	<input type="checkbox"/>	64 1 pg, 22.7 KB	CERTIFICATE OF CONFIDENTIALITY (Local Rule 25(c)) by The North Carolina State Board of Dental Examiners. Sealing Required: Yes. Description of document referenced by certificate: Exhibits were designated as in camera by Complaint Counsel in the agency action.. [12-1172] Noel Allen
07/06/2012	<input type="checkbox"/>	65	SEALED APPENDIX VOLUME(S) by Petitioner The North Carolina State Board of Dental Examiners in electronic and paper format. Method of Filing Paper Copies: courier. Date Copies Mailed, Dispatched, or Delivered to court: 07/06/2012.. Filed Ex parte: N. [12-1172] Noel Allen
07/06/2012	<input type="checkbox"/>	66	APPENDIX (PAPER) file-stamped, on behalf of The North Carolina State Board of Dental Examiners. Total number of volumes (including any sealed): 6. Total number of pages in all volumes: 1886. Total number of sealed volumes: 1 (volume 6). Sufficient? Yes. CD/DVD/Other exhibit? No. If yes was it placed in brief box? N/A. Entered on Docket Date: 07/13/2012. [998895078] [12-1172] (CB)
07/13/2012	<input type="checkbox"/>		Appendix [63] released to public. [12-1172] (CB)
07/13/2012	<input type="checkbox"/>	67 2 pg, 6.7 KB	ORDER filed [998895082] sealing Volume 6 of the Joint Appendix. Copies to all parties... [12-1172] (CB)
07/18/2012	<input type="checkbox"/>	71 32 pg, 612.74 KB	NOTICE OF PAPER FILING by Respondent FTC. Type of paper document filed: other Date paper copies mailed, dispatched or delivered to court: 07/18/2012 Method of filing paper copies: mail [12-1172] Imad Abyad
07/18/2012	<input type="checkbox"/>	72 24 pg, 409.91 KB	MOTION by Respondent FTC file supplemental appendix.. Date and method of service: 07/18/2012 ecf. [998898017] [12-1172] Imad Abyad
07/18/2012	<input type="checkbox"/>	73 74 pg, 159.94 KB	BRIEF by Respondent FTC in electronic and paper format. Type of Brief: Response. Method of Filing Paper Copies: mail. Date Paper Copies Mailed, Dispatched, or Delivered to Court: 07/18/2012. [998898019] [12-1172] Imad Abyad
07/18/2012	<input type="checkbox"/>	78	RESPONSE BRIEF (PAPER) file-stamped, on behalf of FTC. Number of pages: 74. Sufficient: YES. Entered on Docket Date: 07/20/2012. [998899559] [12-1172] (CB)
07/19/2012	<input type="checkbox"/>	74 104 pg, 271.47 KB	BRIEF by Petitioner The 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: 07/19/2012. [998898535] [12-1172] Noel Allen
07/19/2012	<input type="checkbox"/>	75 2 pg, 6.5 KB	ORDER filed [998898870] granting Motion to file supplemental appendix [72] . Copies to all parties... [12-1172] (CB)
07/19/2012	<input type="checkbox"/>	76 32 pg, 612.74 KB	Supplemental FULL ELECTRONIC APPENDIX and full paper appendix by Respondent FTC. Method of Filing Paper Copies: mail. Date paper copies mailed dispatched or delivered to court: 07/18/2012. Has district court 90-day restriction expired for all transcripts included in appendix? Not applicable [998898917] [12-1172] Imad Abyad
07/19/2012	<input type="checkbox"/>	77 41 pg, 111.45 KB	BRIEF by Petitioner The 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: 07/19/2012. [998898935] [12-1172] Noel Allen
07/19/2012	<input type="checkbox"/>	79	SUPPLEMENTAL APPENDIX (PAPER) file-stamped on behalf of FTC. Sealed volume: N. Total number of volumes (including any sealed): 1. Total number of pages in all volumes: 32. CD/DVD/Other exhibit? N. If yes, was it placed in brief box? N/A. Entered on Docket Date: 07/20/2012. [998899563] [12-1172] (CB)
07/19/2012			

	<input type="checkbox"/>	80	OPENING BRIEF (PAPER) file-stamped, on behalf of The North Carolina State Board of Dental Examiners. Number of pages: 104. Sufficient: YES. Entered on Docket Date: 07/25/2012. [998901924] [12-1172] (CB)
07/19/2012	<input type="checkbox"/>	81	REPLY BRIEF (PAPER) file-stamped, on behalf of The North Carolina State Board of Dental Examiners. Number of pages: 41. Sufficient: YES. Entered on Docket Date: 07/25/2012. [998901927] [12-1172] (CB)
07/20/2012	<input type="checkbox"/>		Appendix [76] released to public. [12-1172] (CB)
08/27/2012	<input type="checkbox"/>	82	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 [12-1172] (JLC)
		1 pg, 7.79 KB	
09/24/2012	<input type="checkbox"/>	83	SUPPLEMENTAL AUTHORITIES (FRAP 28(j)) by Amici Supporting Petitioner National Association of Boards of Pharmacy and North Carolina Board of Pharmacy. [998944108]. [12-1172] Matthew Sawchak
		41 pg, 358.98 KB	
10/03/2012	<input type="checkbox"/>	84	CASE CALENDARED for oral argument. Date: 12/05/2012. Registration Time: 8:45 - 9:00. Daily Arguments Begin: 9:30. [12-1172] (JLC)
		3 pg, 84.65 KB	
10/03/2012	<input type="checkbox"/>	85	ORAL ARGUMENT ACKNOWLEDGMENT by Respondent FTC. Counsel arguing: Imad ABYAD Answering argument time: 20 min. [998952438] [12-1172] Imad Abyad
		1 pg, 103.39 KB	
10/09/2012	<input type="checkbox"/>	86	ORAL ARGUMENT ACKNOWLEDGMENT by Petitioner The 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. [998955325] [12-1172] Noel Allen
		1 pg, 104.98 KB	
12/05/2012	<input type="checkbox"/>	87	ORAL ARGUMENT heard before the Honorable Dennis W. Shedd, Barbara Milano Keenan and James A. Wynn, Jr.. Attorneys arguing case: Mr. Noel Lee Allen for Petitioner The North Carolina State Board of Dental Examiners and Mr. Imad Dean Abyad for Respondent FTC. Courtroom Deputy: Richard Sewell. [998996109] [12-1172] (RHS)
02/25/2013	<input type="checkbox"/>	88	SUPPLEMENTAL AUTHORITIES (FRAP 28(j)) by Petitioner The North Carolina State Board of Dental Examiners. [999050262]. [12-1172] Noel Allen
		19 pg, 247.91 KB	
02/25/2013	<input type="checkbox"/>	89	SUPPLEMENTAL AUTHORITIES (FRAP 28(j)) response by Respondent FTC. [999050973]. [12-1172] Imad Abyad
		1 pg, 61.64 KB	
05/22/2013	<input type="checkbox"/>	90	SUPPLEMENTAL AUTHORITIES (FRAP 28(j)) by Respondent FTC. [999114039]. [12-1172] Imad Abyad
		45 pg, 252.21 KB	
05/24/2013	<input type="checkbox"/>	91	SUPPLEMENTAL AUTHORITIES (FRAP 28(j)) response by Petitioner The North Carolina State Board of Dental Examiners. [999115211]. [12-1172] Noel Allen
		2 pg, 27.73 KB	
05/24/2013	<input type="checkbox"/>	92	MOTION by Counsel for American Antitrust Institute to withdraw/relieve/substitute counsel. Attorney or client motion? Attorney... Date and method of service: 05/24/2013 ecf. [999115244] [12-1172] Scott Kranz
		4 pg, 68.9 KB	
05/24/2013	<input type="checkbox"/>	93	ORDER filed [999115402] granting Motion to withdraw Scott M. Krantz as counsel [92] . Copies to all parties.. [12-1172] (CB)
		2 pg, 6.71 KB	
05/31/2013	<input type="checkbox"/>	94	PUBLISHED AUTHORED OPINION filed. Originating case number: No. 9343. [999119424]. [12-1172] (CB)
		37 pg, 81.57 KB	
05/31/2013	<input type="checkbox"/>	95	JUDGMENT ORDER filed. Disposition method: 12-1172 opn.p.arg. Decision: Petition denied. Originating case number: No. 9343. Entered on Docket Date: 05/31/2013. [999119435] Copies to all parties and the district court/agency.. [12-1172] (CB)
		4 pg, 19.93 KB	
06/18/2013	<input type="checkbox"/>	96	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Clinton R. Pinyan for National Association of Boards of Pharmacy and North Carolina Board of Pharmacy.[999132919] [12-1172] Clinton Pinyan
		1 pg, 25.09 KB	
06/18/2013	<input type="checkbox"/>	97	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Julia C. Ambrose for National Association of Boards of Pharmacy and North Carolina Board of Pharmacy.[999132921] [12-1172] Julia Ambrose
		1 pg, 25.08 KB	
06/24/2013	<input type="checkbox"/>	98	MOTION by Amici Supporting Petitioner National Association of Boards of Pharmacy and North Carolina Board of Pharmacy to withdraw/relieve/substitute counsel. Attorney or client motion? Attorney. Was a copy of the motion served on the defendant? Y.. Date and method of service: 06/24/2013 ecf. [999136814] [12-1172] Matthew Sawchak
		4 pg, 78.04 KB	
06/25/2013	<input type="checkbox"/>	99	ORDER filed [999136915] granting Motion to withdraw counsel [98] New attorney appointed: No Date counsel accepted case:. Representation Type:null, terminating Attorney Stephen Daniel Feldman for Amicus Supporting Petitioners North Carolina Board of Pharmacy and National Association of Boards of Pharmacy in 12-1172, Attorney Matthew Woodruff Sawchak for Amicus Supporting Petitioners North Carolina Board of Pharmacy and National Association of Boards of Pharmacy in 12-1172 Copies to all parties. Mailed to: Richard M. Brunell, Peter Carstensen, Stephen W. Keene, Leonard A. Nelson, Dale E. Thomas, Willard K. Tom, K. Craig Wildfang. [12-1172] (DSD)
		2 pg, 9.35 KB	
07/09/2013	<input type="checkbox"/>	100	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Stephen D. Feldman for The North Carolina State Board of Dental Examiners.[999145553] [12-1172] Stephen Feldman
		1 pg, 24.52 KB	
07/09/2013			

	<input type="checkbox"/>	101	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Matthew W. Sawchak for The North Carolina State Board of Dental Examiners.[999145558] [12-1172] Matthew Sawchak
07/09/2013	<input type="checkbox"/>	102	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Dixie T. Wells for The North Carolina State Board of Dental Examiners.[999145678] [12-1172] Dixie Wells
07/15/2013	<input type="checkbox"/>	103	PETITION for rehearing and rehearing en banc by Petitioner The North Carolina State Board of Dental Examiners. [12-1172] Matthew Sawchak
07/15/2013	<input type="checkbox"/>	104	Mandate stayed by FRAP 41(d)(1). Mailed to: Richard M. Brunell, Peter Carstensen, Stephen W. Keene, Leonard A. Nelson, Dale E. Thomas, Willard K. Tom, K.Craig Wildfang. [12-1172] (DSD)
07/15/2013	<input type="checkbox"/>	105	APPEARANCE OF COUNSEL (Local Rule 46(c)) by John Foster Maddrey for The North Carolina State Bar. [999150510] [12-1172]--[Edited 07/16/2013 by CB] John Maddrey
07/15/2013	<input type="checkbox"/>	106	MOTION by The North Carolina State Bar leave to file Brief As Amicus Curiae in Support of Petition for Rehearing or Rehearing En Banc. Date and method of service: 07/15/2013 US mail. [999150739] [12-1172] Everett Bowman
07/15/2013	<input type="checkbox"/>	107	DISCLOSURE OF CORPORATE AFFILIATIONS (Local Rule 26.1) by Amici Supporting Petitioner National Association of Boards of Pharmacy, North Carolina Board of Pharmacy and Potential Amicus Curiae North Carolina Board of Physical Therapy Examiners. Was any question on Disclosure Form answered yes? No [999150743] [12-1172] Julia Ambrose
07/15/2013	<input type="checkbox"/>	108	MOTION by Amici Supporting Petitioner National Association of Boards of Pharmacy, North Carolina Board of Pharmacy and Potential Amicus Curiae North Carolina Board of Physical Therapy Examiners to file amicus curiae brief (FRAP 29(e)) with consent of all parties on appeal within time allowed by FRAP 29 (e).. Date and method of service: 07/15/2013 ecf. [999150750] [12-1172] Julia Ambrose
07/16/2013	<input type="checkbox"/>	109	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Everett J. Bowman for North Carolina State Bar. [999151895] [12-1172] Everett Bowman
07/16/2013	<input type="checkbox"/>	110	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Mark W. Merritt for North Carolina State Bar. [999151899] [12-1172] Mark Merritt
07/16/2013	<input type="checkbox"/>	111	APPEARANCE OF COUNSEL (Local Rule 46(c)) by Lawrence C. Moore, III for North Carolina State Bar. [999151904] [12-1172] Lawrence Moore
07/16/2013	<input type="checkbox"/>	112	DISCLOSURE OF CORPORATE AFFILIATIONS (Local Rule 26.1) by Amicus Supporting Petitioner North Carolina State Bar. Was any question on Disclosure Form answered yes? No [999151910] [12-1172] Everett Bowman
07/23/2013	<input type="checkbox"/>	113	COURT ORDER filed [999157205] granting Motion for leave to file Amicus Brief by The North Carolina State Bar 106 . Copies to all parties.. [12-1172] (CB)
07/23/2013	<input type="checkbox"/>	114	COURT ORDER filed [999157215] granting Motion to file amici curiae brief by the National Association of Boards of Pharmacy, North Carolina Board of Pharmacy, and North Carolina Board of Physical Therapy Examiners 108 . Copies to all parties.. [12-1172] (CB)
07/23/2013	<input type="checkbox"/>	115	AMICUS CURIAE BRIEF by North Carolina State Bar in support of petition for rehearing in electronic and paper format. Type of Brief: Amicus Curiae. Method of Filing Paper Copies: courier. [999157255] [12-1172] (CB)
07/23/2013	<input type="checkbox"/>	116	AMICI CURIAE BRIEF by National Association of Boards of Pharmacy, North Carolina Board of Pharmacy and North Carolina Board of Physical Therapy Examiners in support of petition for rehearing in electronic and paper format. Type of Brief: Amici Curiae. Method of Filing Paper Copies: courier. [999157270] [12-1172] (CB)
07/23/2013	<input type="checkbox"/>	117	AMICUS CURIAE BRIEF (PAPER) file-stamped, on behalf of North Carolina State Bar. Number of pages: 19. Entered on Docket Date: 07/25/2013.[999159365] [12-1172] (CB)
07/23/2013	<input type="checkbox"/>	118	AMICUS CURIAE BRIEF (PAPER) file-stamped, on behalf of National Association of Boards of Pharmacy, North Carolina Board of Pharmacy and North Carolina Board of Physical Therapy Examiners. Number of pages: 14. Entered on Docket Date: 07/25/2013.[999159369] [12-1172] (CB)
07/30/2013	<input type="checkbox"/>	119	COURT ORDER filed [999161782] denying Motion for rehearing and rehearing en banc 103 . Copies to all parties.. [12-1172] (CB)
08/05/2013	<input type="checkbox"/>	120	MOTION by Petitioner The North Carolina State Board of Dental Examiners to stay mandate [FRAP 41 (d)]. Date and method of service: 08/05/2012 US mail, ecf. [999165632] [12-1172] Matthew Sawchak
08/05/2013	<input type="checkbox"/>	121	Mandate stayed by FRAP 41(d)(1).. [12-1172] (CB)
08/28/2013	<input type="checkbox"/>	122	COURT ORDER filed [999182443] denying Motion to stay mandate [FRAP 41(d)] 120 Copies to all parties. Mailed to: Richard M. Brunell, Peter Carstensen, Stephen W. Keene, Leonard A. Nelson, Dale E. Thomas, Willard K. Tom, K. Craig Wildfang. [12-1172] (DSD)
09/05/2013			

[123](#)
2 pg, 9.96 KB

Mandate issued. Referencing: [\[95\]](#) Judgment Order, [\[94\]](#) Published Authored Opinion. Originating case number: No. 9343.. [12-1172] (CB)

10/30/2013 [124](#)
1 pg, 40.65 KB

SUPREME COURT REMARK--petition for writ of certiorari filed. 10/25/2013. 13-534. [12-1172] (AW)

03/04/2014 [125](#)
1 pg, 62.46 KB

SUPREME COURT REMARK--petition for writ of certiorari granted. 03/03/2014 [12-1172] (AW)

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