

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

ORIGINAL



In the Matter of )  
 )  
The North Carolina Board of )  
Dental Examiners, )  
Respondent. )

DOCKET NO. 9343

**ORDER GRANTING COMPLAINT COUNSEL'S MOTION  
TO PLACE *IN CAMERA* TESTIMONY ON THE PUBLIC RECORD**

On April 1, 2011, Complaint Counsel filed a Motion to Place *In Camera* Testimony on the Public Record ("Motion"). Complaint Counsel represents that Respondent's counsel does not oppose the Motion.

On the record at trial, pursuant to Commission Rule 3.45(b), testimony relating to a dental examination of Mr. Brian Runsick performed by Dr. Larry Tilley was found to contain "sensitive personal information" and therefore was designated as *in camera* testimony and not placed on the public record. Complaint Counsel seeks to change the designation of testimony provided by Dr. Tilley and by Complaint Counsel's expert witness, Dr. Martin Giniger, relating to the dental examination of Mr. Runsick from *in camera* to public. Mr. Runsick, in subsequent testimony at trial, affirmatively stated that the testimony and information relating to Dr. Tilley's examination of Mr. Runsick should be placed on the public record. Runsick, Tr. 2131. With Mr. Runsick's consent, the sensitive personal information no longer needs to be shielded from disclosure. Accordingly, Complaint Counsel's Motion is GRANTED.

The following portions of the transcript, which had been designated as *in camera*, will now be designated as public:

Giniger: 266:16 to 279:22; 470:07 to 501:25;  
Tilley: 2008:02 to 2049:21; 2071:15 to 2099:15.

Complaint Counsel is directed to work with the court reporter to ensure that the

above listed portions of the trial transcript are no longer designated as *in camera* testimony.

ORDERED:

Dm Chappell  
D. Michael Chappell  
Chief Administrative Law Judge

Date: April 4, 2011