

**UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Timothy J. Muris, Chairman**
 Mozelle W. Thompson
 Orson Swindle
 Thomas B. Leary
 Pamela Jones Harbour

In the Matter of)	
)	
)	
SOUTH CAROLINA STATE)	Docket No. 9311
BOARD OF DENTISTRY)	
)	
)	


**ORDER GRANTING JOINT MOTION TO ADMIT
TWO NEW DOCUMENTS INTO THE RECORD**

In connection with Respondent South Carolina State Board of Dentistry's ("Board") Motion to Dismiss, Complaint Counsel and Respondent have jointly moved that the Commission include in the record the following: (1) Excerpt from Transcript of Hearing in *Health Promotion Specialists, LLC v. S.C. Bd. Of Dentistry*, Civ. A. No. 01-CP-0-3148 (S.C. Ct. Com. Pl. Aug. 9, 2001) ("Hearing Transcript") [Exhibit 14]; and (2) Excerpt from the State Action Analysis of the Promulgation of Emergency Regulation 39-18 by the South Carolina State Board of Dentistry, submitted on July 23, 2003 to Complaint Counsel ("White Paper") [Tab 19]. As noted in their Joint Motion and during the oral argument on Respondent's Motion to Dismiss (January 13, 2004) ("Oral Argument"), the parties seek to include the Hearing Transcript and the White Paper excerpts solely to reflect the positions taken by the Board. See Transcript of Oral Argument at 54, 79-80.

The Commission has determined as a matter of discretion to grant the Joint Motion for the limited purpose stated above. Accordingly,

IT IS ORDERED THAT the attached Hearing Transcript Excerpt [Exhibit 14] and White Paper Excerpt [Tab 19] be and they hereby are placed in the record of this proceeding.

By the Commission.


Donald S. Clark
Secretary

ISSUED: January 27, 2004