

## Burgos, Alexander N

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**Subject:** FW: [External] Request to speak- Responsive oral statement

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**From:** Doug Brocker <doug@brockerlawfirm.com>

**Sent:** Wednesday, August 27, 2025 2:38 PM

**To:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Wiggs, Travis C <travis.wiggs@oah.nc.gov>

**Cc:** Whitney Waldenberg <Whitney@brockerlawfirm.com>; bwhite@ncdentalboard.org; Line Dempsey <Line.Dempsey@brushandfloss.com>; Michael Riccobene <ifloss@brushandfloss.com>; File <file@brockerlawfirm.com>

**Subject:** RE: [External] Request to speak- Responsive oral statement

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Alexander and Travis:

I wanted to make you aware that Bobby White, the Dental Board's CEO and Counsel, also plans to attend the meeting tomorrow. If the Chair provides Dr. Riccobene a chance to make comments to the RRC about these rules, pursuant to 26 NCAC 05.0106 and on behalf of the Board, Mr. White likely will request the right to make an oral statement in response to those comments concerning the proposed adoption of 21 NCAC 16F.0111 and 21 NCAC 16V.0103, and amendments to 21 NCAC 16A.0101. I don't think we need to make a request in advance of the meeting to respond to comments, but we wanted you and the Chair to have prior notice. Mr. White's comments would be in addition to mine pursuant to my request yesterday.

In case you need it, his contact information is:

Bobby D. White, CEO and Counsel  
North Carolina Board of Dental Examiners  
2000 Perimeter Park Dr., Suite 160  
Morrisville, NC 27560  
(919) 678-8223  
[bwhite@ncdentalboard.org](mailto:bwhite@ncdentalboard.org).



### **Douglas J. Brocker**

The Brocker Law Firm, P.A.  
1135 Kildaire Farm Road, Suite 200 | Cary, NC 27511

*direct* 919.854.2460 | *office* 919.415.2357 | *e-fax* 919.516.9077  
[doug@brockerlawfirm.com](mailto:doug@brockerlawfirm.com) | [The Brocker Law Firm](http://TheBrockerLawFirm.com) website

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## Burgos, Alexander N

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**From:** Line Dempsey <Line.Dempsey@brushandfloss.com>  
**Sent:** Wednesday, August 27, 2025 10:15 AM  
**To:** Burgos, Alexander N; julie.brincefield@oah.nc.gov; Michael Riccobene  
**Cc:** Whitney@brockerlawfirm.com; Doug Brocker  
**Subject:** [External] Request to speak

You don't often get email from line.dempsey@brushandfloss.com. [Learn why this is important](#)

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Hi Ms. Brincefield,

I understand that the deadline to request to speak was 5pm last night, but we were unable to send the request at that time. I understand it would be the Chair's decision to allow individuals to speak. With that, I am formally requesting that Dr. Michael Riccobene be able to speak at the RRC meeting this Thursday, August 28 in opposition to two new permanent rules, 21 NCAC 16F.0111 and 21 NCAC 16V.0103, and amendments to 21 NCAC 16A.0101, all of which were recently adopted by the NC State Board of Dental Examiners.

His contact information is: Michael Riccobene, DDS, 3434 Kildaire Farm Road, Suite 350, Cary, NC 27513, 919-946-1778, ifloss@brushandfloss.com

As required by 26 NCAC 5.0105, the Dental Board's rulemaking coordinator, Whitney Waldenberg, is copied on this request. I also cc'd the attorney for the Board, Doug Brocker.

Thank you,

Line Dempsey



Line Dempsey  
Chief Compliance Officer

Riccobene Associates Family Dentistry  
3434 Kildare Farm Rd, STE 350

Cary, NC 27518

Office- 919.670.4746

Email: [Line.Dempsey@brushandfloss.com](mailto:Line.Dempsey@brushandfloss.com)  
[www.BrushAndFloss.com](http://www.BrushAndFloss.com)

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## Burgos, Alexander N

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**Subject:** FW: [External] Request to Speak Opposing Dental Board Rule Changes - RRC Meeting 8.28.25

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**From:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Sent:** Tuesday, August 26, 2025 12:02 PM  
**To:** Hewitt, Marcus C. <MHewitt@foxrothschild.com>  
**Cc:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Whitney Waldenberg <whitney@brockerlawfirm.com>; Doug Brocker <doug@brockerlawfirm.com>; Tom Fetzer <tom@fetzerstrategicpartners.com>  
**Subject:** RE: [External] Request to Speak Opposing Dental Board Rule Changes - RRC Meeting 8.28.25

Mr. Hewitt, I have received your request and will post it to the August agenda. Your request to speak is at the discretion of the Chair. We look forward to seeing you all at Thursday's RRC meeting.

### Alexander Burgos

Paralegal  
Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh NC, 27609  
(984) 236-1940  
[Alexander.burgos@oah.nc.gov](mailto:Alexander.burgos@oah.nc.gov)

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**From:** Hewitt, Marcus C. <MHewitt@foxrothschild.com>  
**Sent:** Tuesday, August 26, 2025 11:58 AM  
**To:** Burgos, Alexander N <alexander.burgos@oah.nc.gov>  
**Cc:** Wiggs, Travis C <travis.wiggs@oah.nc.gov>; Whitney Waldenberg <whitney@brockerlawfirm.com>; Doug Brocker <doug@brockerlawfirm.com>; Tom Fetzer <tom@fetzerstrategicpartners.com>  
**Subject:** [External] Request to Speak Opposing Dental Board Rule Changes - RRC Meeting 8.28.25

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Mr. Burgos, I'm writing to notify the Rules Review Commission that Tom Fetzer and I would both like to speak at this Thursday's RRC meeting.

I sent the request below to the email shown on the RRC website for the RRC's administrative assistant, but I got an automated response saying that email address was invalid. I just called and spoke to Travis Wiggs, who said I should send the request to you instead. Would you please respond and confirm if Mr. Fetzer and I will be able to speak? Thanks very much.

### Marcus C. Hewitt

Partner

Fox Rothschild LLP

 Raleigh

☎ (919) 755-8776  
✉ mhewitt@foxrothschild.com

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**From:** Hewitt, Marcus C.  
**Sent:** Tuesday, August 26, 2025 9:56 AM  
**To:** [julie.brincefield@oah.nc.gov](mailto:julie.brincefield@oah.nc.gov)  
**Cc:** Tom Fetzer <[tom@fetzerstrategicpartners.com](mailto:tom@fetzerstrategicpartners.com)>; Whitney Waldenberg <[Whitney@brockerlawfirm.com](mailto:Whitney@brockerlawfirm.com)>  
**Subject:** Request to Speak Opposing Dental Board Rule Changes - RRC Meeting 8.28.25

Hi Ms. Brincefield, I'd like to speak at the RRC meeting this Thursday, August 28 in opposition to two new permanent rules, 21 NCAC 16F.0111 and 21 NCAC 16V.0103, and amendments to 21 NCAC 16A.0101, all of which were recently adopted by the NC State Board of Dental Examiners. My address, email and phone numbers are listed below. My fax number is 919.755.8800.

Separately, Tom Fetzer also wishes to speak in opposition to the same rules. He is copied on this request and his contact information is:

Tom Fetzer  
111 E. North Street  
Raleigh, NC 27601  
(919) 280-9184  
[tom@fetzerstrategicpartners.com](mailto:tom@fetzerstrategicpartners.com)

As required by 26 NCAC 5.0105, the Dental Board's rulemaking coordinator, Whitney Waldenberg, is copied on this request.

Would you please confirm that Mr. Fetzer and I will both be able to speak? Thanks very much.

-Marc Hewitt



**Marcus C. Hewitt**  
**Partner**

☎ (919) 755-8776  
✉ mhewitt@foxrothschild.com  
📍 301 Hillsborough Street  
Suite 1120  
Raleigh, NC 27603

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## Burgos, Alexander N

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**Subject:** FW: [External] Request to Speak Responding to Comments and in support of Dental Board Rule Changes - RRC Meeting 8.28.25

**Importance:** High

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**From:** Doug Bocker <[doug@brockerlawfirm.com](mailto:doug@brockerlawfirm.com)>

**Sent:** Tuesday, August 26, 2025 11:37 AM

**To:** [julie.brincefield@oah.nc.gov](mailto:julie.brincefield@oah.nc.gov); Wiggs, Travis C <[travis.wiggs@oah.nc.gov](mailto:travis.wiggs@oah.nc.gov)>

**Cc:** Hewitt, Marcus C. <[mhewitt@foxrothschild.com](mailto:mhewitt@foxrothschild.com)>; [tom@fetzerstrategicpartners.com](mailto:tom@fetzerstrategicpartners.com); Whitney Waldenberg <[Whitney@brockerlawfirm.com](mailto:Whitney@brockerlawfirm.com)>; File <[file@brockerlawfirm.com](mailto:file@brockerlawfirm.com)>

**Subject:** [External] Request to Speak Responding to Comments and in support of Dental Board Rule Changes - RRC Meeting 8.28.25

**Importance:** High

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Good morning,

I am writing to notify the RRC that I will be attending the RRC's August 28, 2025 meeting as counsel and rulemaking coordinator for the Dental Board. Pursuant to 26 NCAC 05.0106, the Board has a right to make an oral statement in response to comments about the rules on the agenda, but out of an abundance of caution, I am also providing my information and notice of my desire to speak at the meeting pursuant to 26 NCAC 05.0105. I would like to make an oral statement in support of rules 21 NCAC 16F.0111 and 21 NCAC 16V.0103, and amendments to 21 NCAC 16A.0101 following the statements made by Mr. Hewitt and Mr. Fetzer.

The following is my contact information:

Douglas J. Bockett  
The Brocker Law Firm, P.A.  
1135 Kildaire Farm Road, Suite 200  
Cary, North Carolina 27511  
phone (919) 415-2357  
Fax: 919-516-9077  
[doug@brockerlawfirm.com](mailto:doug@brockerlawfirm.com)

Thank you,



**Douglas J. Brocker**

The Brocker Law Firm, P.A.  
1135 Kildaire Farm Road, Suite 200 | Cary, NC 27511

*direct* 919.854.2460 | *office* 919.415.2357 | *e-fax* 919.516.9077



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**From:** Hewitt, Marcus C. <[MHewitt@foxrothschild.com](mailto:MHewitt@foxrothschild.com)>  
**Sent:** Tuesday, August 26, 2025 7:55 AM  
**To:** [julie.brincefield@oah.nc.gov](mailto:julie.brincefield@oah.nc.gov) <[julie.brincefield@oah.nc.gov](mailto:julie.brincefield@oah.nc.gov)>  
**Cc:** Tom Fetzer <[tom@fetzerstrategicpartners.com](mailto:tom@fetzerstrategicpartners.com)>; Whitney Waldenberg <[Whitney@brockerlawfirm.com](mailto:Whitney@brockerlawfirm.com)>  
**Subject:** Request to Speak Opposing Dental Board Rule Changes - RRC Meeting 8.28.25

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Tom Fetzer  
111 E. North Street  
Raleigh, NC 27601  
(919) 280-9184  
[tom@fetzerstrategicpartners.com](mailto:tom@fetzerstrategicpartners.com)

As required by 26 NCAC 5.0105, the Dental Board's rulemaking coordinator, Whitney Waldenberg, is copied on this request.

Would you please confirm that Mr. Fetzer and I will both be able to speak? Thanks very much.

-Marc Hewitt



**Marcus C. Hewitt**  
**Partner**

☎ (919) 755-8776  
✉ [mhewitt@foxrothschild.com](mailto:mhewitt@foxrothschild.com)  
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Raleigh, NC 27603

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