

13-534 NC BOARD OF DENTAL EXAMINERS V. FTC

DECISION BELOW: 717 F.3d 359

LOWER COURT CASE NUMBER: 12-1172

QUESTION PRESENTED:

Whether, for purposes of the state-action exemption from federal antitrust law, an official state regulatory board created by state law may properly be treated as a "private" actor simply because, pursuant to state law, a majority of the board's members are also market participants who are elected to their official positions by other market participants.

CERT. GRANTED 3/3/2014