



AlaFile E-Notice

01-CV-2013-901678.00

Judge: ELISABETH A FRENCH

To: PATERSON CHARLES BURTON
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NOTICE OF COURT ACTION

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

KEITH WESTPHAL ET AL V. J. DAVID NORTHCUTT III, DMD ET AL
01-CV-2013-901678.00

A court action was entered in the above case on 10/1/2013 2:58:37 PM

ORDER

[Filer:]

Disposition: DENIED
Judge: EAF
Notice Date: 10/1/2013 2:58:37 PM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
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JEFFERSON COUNTY, ALABAMA
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IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

KEITH WESTPHAL, and)
JOYCE OSBORN WILSON,)
)
Plaintiffs,)
)
v.)
)
J. DAVID NORTHCUTT, III, DMD,)
BOBBY R. WELLS, DMD,)
STEPHEN R. STRICKLIN, DMD,)
THOMAS T. WILLIS, DMD,)
SAM J. CITRANO, JR., DMD,)
WILLIAM CHESSER, DMD, and)
SANDRA KAY ALEXANDER, RDH,)
in their official capacities as members of)
the Alabama Board of Dental Examiners,)
)
Defendants.)

CASE NO. CV 13-901678-EAF

ORDER

On September 5, 2013, a hearing was held regarding the Motion for Judgment on the Pleadings filed by Defendants J. David Northcutt, III, Bobby R. Wells, Stephen R. Stricklin, Thomas T. Willis, Sam J. Citrano, Jr., William Chesser, and Sandra Kay Alexander (collectively, the "Dental Board"). Charles Patterson, Paul Sherman and Arif Panju appeared on behalf of the Plaintiffs. Luther M. ("Rusty") Dorr appeared on behalf of the Dental Board.

In reviewing the Defendants' motion, this Court must accept the facts as stated in the Complaint as true and view them in the light most favorable to the Plaintiffs. *Universal Underwriters Ins. Co. v. Thompson*, 776 So.2d 81, 82 (Ala. 2000). Therefore, and upon due consideration, the Defendants' Motion for Judgment on the Pleadings is Denied.

The deadlines contained in this Court's Scheduling Order of June 28, 2013, remain in full force and effect.

DONE and ORDERED this 1st day of October, 2013.

/s/ Elisabeth A. French
ELISABETH A. FRENCH
CIRCUIT JUDGE

EAF/pc
cc: All parties