

FILED

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

WAKE COUNTY

2023 FEB -1 PM 2:00

SUPERIOR COURT DIVISION

22 CVS 500050

NORTH CAROLINA STATE BOARD
OF DENTAL EXAMINERS,
Plaintiff

WAKE CO., N.C.)
BY _____)

v.

**CONSENT ORDER GRANTING
PERMANENT INJUNCTION**

ALISHA GEORGETOWN and
SOUVENEERS LLC,
Defendants

This matter came before the undersigned Superior Court Judge upon consent of Plaintiff North Carolina State Board of Dental Examiners ("Dental Board") and Defendants Alisha Georgetown and Souveneers LLC ("Defendants") (collectively the "Parties"), and pursuant to N.C. Gen. Stat. §§ 90-40.1(b) and 1A-1, Rule 65, on a Verified Complaint and Motion for Permanent Injunction against Defendants. To resolve this matter, the Parties consent to and the undersigned Judge finds and concludes as follows:

1) The Verified Complaint and Motion for Permanent Injunction, and the Motion for Preliminary Injunction and its supporting affidavit, both filed in this action on October 19, 2022, are incorporated herein by reference in their entirety.

2) The Dental Board alleges in its Verified Complaint and its motions, and provides corroborating evidence in the affidavit, that Defendants have engaged in the unauthorized practice of dentistry in North Carolina by:

- a. treating a deformity, injury, deficiency, defect, or other physical condition of the human teeth including providing repairs of chips or gaps in teeth;
- b. cleaning and scaling to remove stains, accretions, or deposits from teeth;
- c. performing operations, or a phase of them, relative or incident to the replacement or restoration of human teeth with any artificial substance, material, or device, including bonding a tooth to replace a missing tooth;

- d. making, constructing, furnishing, processing, repairing, adjusting, or supplying appliances designed to replace lost or missing human teeth without a work order from a licensed dentist, including providing or repairing bridges and removing braces;
- e. placing in the human mouth appliances designed to replace lost or missing human teeth; and
- f. claiming and advertising to the public the ability to do the aforementioned acts.

3) Pursuant to N.C. Gen. Stat. § 90-29(b)(1), an individual who "[d]iagnoses, treats, operates, or prescribes for any disease, disorder, pain, deformity, injury, deficiency, defect, or other physical condition of the human teeth, gums, alveolar process, jaws, maxilla, mandible, or adjacent tissues or structures of the oral cavity," or who claims the ability to do so, is deemed to be engaged in the practice of dentistry.

4) Pursuant to N.C. Gen. Stat. § 90-29(b)(2), an individual who "[r]emoves stains, accretions or deposits from the human teeth," or who claims the ability to do so, is deemed to be engaged in the practice of dentistry.

5) Pursuant to N.C. Gen. Stat. § 90-29(b)(4), an individual who "[p]erforms any phase of any operation relative or incident to the replacement or restoration of all or a part of a human tooth or teeth with any artificial substance, material or device," or who claims the ability to do so, is deemed to be engaged in the practice of dentistry.

6) Pursuant to N.C. Gen. Stat. § 90-29(b)(8), an individual who "[m]akes, builds, constructs, furnishes, processes, reproduces, repairs, adjusts, supplies or professionally places in the human mouth any prosthetic denture, bridge, appliance, corrective device, or other structure designed or constructed as a substitute for a natural human tooth or teeth or as an aid in the treatment of the malposition or malformation of a tooth or teeth," or who claims the ability to do so, is deemed to be engaged in the practice of dentistry, except to the extent he or she is constructing or repairing, extraorally, prosthetic dentures, bridges, or other replacements for a

part of a tooth, a tooth, or teeth pursuant to a written work order from a licensed dentist in accordance with the provisions of N.C. Gen. Stat. §§ 90-29.1 and 90-29.2.

7) Pursuant to N.C. Gen. Stat. § 90-29(a), only individuals who are licensed to practice dentistry by the Dental Board may engage in the practice of dentistry in North Carolina.

8) Defendant Alisha Georgetown has never been licensed to practice dentistry in North Carolina.

9) Defendant Souveneers LLC is not a professional entity registered with the Dental Board and owned by a licensed North Carolina dentist authorized to own and operate an enterprise where the practice of dentistry is performed, as set out in N.C. Gen. Stat. 90-29(b)(11).

10) The unlawful or unlicensed practice of dentistry in North Carolina is inimical to the public health and welfare and constitutes a public nuisance, as set out in N.C. Gen. Stat. § 90-40.1(a).

11) The Dental Board may bring an action to enjoin the unlawful practice of dentistry, pursuant to N.C. Gen. Stat. § 90-40.1(a).

12) To resolve this matter, Defendants acknowledge that sufficient evidence exists such that a reasonable fact finder could sustain the Dental Board's allegations and asserted violations in this matter. Defendants' stipulations are solely for the purposes of this matter and any future proceedings involving the Dental Board, including in this matter.

13) Defendants voluntarily waive the right to appeal or challenge the sufficiency of the findings, conclusions, and basis for this Consent Order in any future proceedings in this matter or any future proceedings involving the Dental Board.


In accordance with the foregoing, and with the consent of the Parties hereto, it is hereby ORDERED, ADJUDGED, and DECREED that Defendants and any affiliates, related entities or successors, their officers, agents, servants, employees, directors, or others acting in concert or participation with them are permanently enjoined from engaging in the unlicensed practice of dentistry in North Carolina, including:

1. treating a deformity, injury, deficiency, defect, or other physical condition of the human teeth including providing repairs of chips or gaps in teeth for patients in North Carolina;
2. cleaning scaling, or applying professional grade teeth whitening gel, which would include any containing more than 10% hydrogen peroxide or 22% carbamide peroxide, to remove stains, accretions, or deposits from teeth for patients in North Carolina;
3. performing operations, or a phase of them, relative or incident to the replacement or restoration of human teeth with any artificial substance, material, or device, including bonding a tooth to replace a missing tooth for patients in North Carolina;
4. making, constructing, furnishing, processing, repairing, adjusting, or supplying appliances designed to replace lost or missing human teeth without a work order from a licensed dentist, including providing or repairing bridges and removing braces for patients in North Carolina, except to the extent Defendants are constructing or repairing, extraorally, replacements for human teeth pursuant to a specific written work order issued to Defendants for a particular patient by a dentist actively licensed in North Carolina;
5. placing in the human mouth appliances designed to replace lost or missing human

teeth for patients in North Carolina;

6. representing that Defendants can practice dentistry in North Carolina, including claiming or advertising to the public the ability to do the aforementioned acts directly for the public in North Carolina; and
7. engaging in any other act constituting the practice of dentistry in North Carolina.

Issued this 1st day of February, 2023.



Hon. Bryan Collins
Resident Superior Court Judge

Consented to by and on behalf of The North Carolina Board of Dental Examiners.

THE BROCKER LAW FIRM, P.A.

By:



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Counsel for Plaintiff

Date: 1/30/2023

and

NORTH CAROLINA STATE
BOARD OF DENTAL EXAMINERS

By:



Bobby D. White, Chief Executive Officer

Date: 1/30/2023

Consented to by and on behalf of Alisha Georgetown and Souveneers LLC.

By:



Alisha Georgetown, Individually and as Member Manager of Souveneers LLC

Date: 1/23/23

and

THE DARTY LAW FIRM, PLLC

By:



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Date: 1/24/23