

5. Defendant is not a professional corporation owned by a licensed North Carolina dentist and registered with the Dental Board to provide dental services.
6. Defendant has done, undertaken to do, and claimed the ability to do, the following acts which are defined as the practice of dentistry in North Carolina pursuant to N.C. Gen. Stat. § 90-29(b):
 - a. treating a deformity, deficiency, defect, or other physical condition of the human teeth, including placing and repairing composite veneers, restoring chipped and broken teeth, replacing missing teeth, and closing gaps between teeth;
 - b. removing stains, accretions, or deposits from the human teeth, including teeth cleaning, stain removal, and whitening;
 - c. performing operations relative or incident to the replacement or restoration of human teeth with any artificial substance, material, or device, including placing and repairing composite veneers, restoring chipped and broken teeth, and replacing missing teeth;
 - d. correcting the malposition or malformation of human teeth, including restoring chipped and broken teeth, replacing missing teeth, and closing gaps between teeth;
 - e. making, furnishing, supplying, or repairing any prosthetic structure designed or constructed as a substitute for a natural human tooth or teeth without a work order from a licensed dentist; and
 - f. placing in the human mouth any prosthetic structure designed or constructed as a substitute for a natural human tooth or teeth.
7. Defendant is managing, controlling, and conducting an enterprise wherein the aforementioned acts are done and represented to be done, which constitutes the practice of dentistry pursuant to N.C. Gen. Stat. § 90-29(b)(11).
8. Defendant is representing to the public the ability and qualification to do the aforementioned acts on its website, www.thecosmeticcenter.org, and on

Facebook.com and Instagram.com, which constitutes the practice of dentistry pursuant to N.C. Gen. Stat. § 90-29(b)(13).

9. Copies of the Summons and Verified Complaint for Permanent Injunction were served on Defendant The Cosmetic Center Co LLC by certified mail on December 1, 2023.
10. Defendant The Cosmetic Center Co LLC has not filed or served an answer or otherwise appeared in the action.
11. Defendant The Cosmetic Center Co LLC is not an infant or incompetent person.
12. On January 11, 2024, the Clerk of Superior Court entered default against Defendant The Cosmetic Center Co LLC pursuant to Rule 55(a) of the North Carolina Rules of Civil Procedure.
13. On February 5, 2024, the Dental Board filed a Motion for Default Judgment as to Defendant The Cosmetic Center Co LLC pursuant to Rule 55(b)(2)b of the North Carolina Rules of Civil Procedure, with a Certificate of Service certifying that Defendant was served a copy of the Motion that same day.
14. In accordance with Rule 55(b)(2)b, the Motion notified Defendant The Cosmetic Center Co LLC of the Dental Board's request that the Court decide the Motion for Default Judgment without a hearing if Defendant failed to serve a written response, stating the grounds for opposing the Motion, within 30 days of service of the Motion.
15. Defendant The Cosmetic Center Co LLC did not file or serve a written response, stating the grounds for opposing the Dental Board's Motion, within 30 days after service of the Motion.

Based on the foregoing findings, this Court concludes:

1. The Dental Board has the authority to bring this proceeding pursuant to N.C. Gen. Stat. §§ 90-22, 90-29, 90-40, and 90-40.1.
2. The Court has jurisdiction over the subject matter of this action pursuant to N.C. Gen. Stat. § 90-40.1.
3. The Dental Board's Motion for Default Judgment is properly before this Court pursuant to Rule 55(b)(2) of the North Carolina Rules of Civil Procedure.
4. By engaging in the conduct set out above, Defendant The Cosmetic Center Co LLC has engaged in the unlicensed practice of dentistry in North Carolina.
5. Defendant's unlicensed practice of dentistry poses a threat to the public health, safety, and welfare of the citizens of North Carolina.
6. Defendant's unlicensed practice of dentistry is a Class I misdemeanor, and each day's violation constitutes a separate offense.
7. The Dental Board is entitled to the relief requested in its Verified Complaint for Permanent Injunction, seeking an Order enjoining Defendant and its agents and employees from engaging in the unlicensed practice of dentistry in North Carolina.

IT IS NOW, THEREFORE, ORDERED AS FOLLOWS:

Defendant and any affiliates, related entities or successors, its 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:

- a) treating a deformity, deficiency, defect, or other physical condition of the human teeth, including placing and repairing composite veneers, restoring chipped and broken teeth, replacing missing teeth, and closing gaps between teeth;

- b) removing stains, accretions, or deposits from the human teeth, including teeth cleaning, stain removal, and whitening;
- c) performing operations relative or incident to the replacement or restoration of human teeth with any artificial substance, material, or device, including placing and repairing composite veneers, restoring chipped and broken teeth, and replacing missing teeth;
- d) correcting the malposition or malformation of human teeth, including restoring chipped and broken teeth, replacing missing teeth, and closing gaps between teeth;
- e) making, furnishing, supplying, or repairing any prosthetic structure designed or constructed as a substitute for a natural human tooth or teeth, unless it is done pursuant to a specific work order issued to Defendant for a particular patient by a dentist actively licensed in North Carolina;
- f) placing in the human mouth any prosthetic structure designed or constructed as a substitute for a natural human tooth or teeth;
- g) managing, controlling, and conducting an enterprise wherein any of the acts or practices set forth in N.C. Gen. Stat. § 90-29(b)(1)-(10) are done, attempted to be done, or represented to be done;
- h) representing to the public, on www.thecosmeticcenter.org or by any other advertisement or announcement, the ability or qualification to do or perform any of the acts or practices set forth in N.C. Gen. Stat. § 90-29(b)(1)-(10); and
- i) engaging in any other act constituting the practice of dentistry in North Carolina until such time, if ever, that Defendant is a professional corporation duly registered and authorized to do so by the Dental Board.

This the 19th day of March 2024.


 3/19/2024 11:33:41 AM
 Superior Court Judge

Paul C. Ridgeway
 Senior Resident Superior Court Judge