

**APPEALS DIVISION
TEXAS HEALTH AND HUMAN SERVICES COMMISSION
AUSTIN, TEXAS**

**M & M ORTHODONTICS, PA and
DIANA MALONE, DDS,
PETITIONERS**

VS.

**TEXAS HEALTH AND HUMAN SERVICES
COMMISSION,
RESPONDENT**

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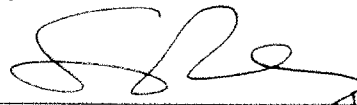
CAUSE NO. 12-0096-K

ORDER

On the 5th day of October 2012 came on for consideration Petitioner Diana Malone's Motion for Summary Disposition of the Extrapolation of Damages and Penalties and Respondent's Motion to Sever Diana Malone, DDS, Case...From the M & M Orthodontics, PA, Case...filed on 26 September 2012. Having considered the arguments of counsel and the pleadings in this cause, this Administrative Law Judge finds good cause exists to grant Petitioner Diana Malone's Motion for Summary Disposition of the Extrapolation of Damages and Penalties, but not to grant Respondent's Motion to Sever Diana Malone, DDS, Case...From the M & M Orthodontics, PA, Case....

Therefore, IT IS ORDERED that Petitioner Diana Malone's Motion for Summary Disposition of the Extrapolation of Damages and Penalties BE GRANTED. IT IS further ORDERED that Respondent's Motion to Sever Diana Malone, DDS, Case...From the M & M Orthodontics, PA, Case...BE DENIED.

Entered this 5th day of October 2012.



Susan Nash Fekety,
Administrative Law Judge
Appeals Division
Texas Health and Human Services Commission