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Attorneys for Defendant/Third-Party Plaintiff
InterDent Service Corporation

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO

POCATELLO DENTAL GROUP, P.C., an
Idaho professional corporation,

Plaintiff,

v.

INTERDENT SERVICE CORPORATION, a
Washington corporation,

Defendant.

Case No. CV-03-450-E-LMB

INTERDENT SERVICE
CORPORATION'S MOTION TO
AMEND FEBRUARY 9, 2004 ORDER
REGARDING THE MAIL

**EXPEDITED HEARING
REQUESTED**

INTERDENT SERVICE CORPORATION, a
Washington corporation,

INTERDENT SERVICE CORPORATION'S MOTION TO AMEND FEBRUARY 9, 2004
ORDER REGARDING THE MAIL - 1

198

Third-Party Plaintiff,

v.

POCATELLO DENTAL GROUP, P.C., an Idaho professional corporation; DWIGHT G. ROMRIELL, individually; LARRY R. MISNER, JR., individually; GREGORY ROMRIELL, individually; ERROL ORMOND, individually; and ARNOLD GOODLIFFE, individually,

Third-Party Defendants.

As indicated at the telephonic oral argument on October 21, 2004, defendant/third-party plaintiff InterDent Service Corporation ("ISC") hereby moves the Court to amend its February 9, 2004 order regarding the mail for the former Pocatello Dental Group ("PDG") office managed by ISC (the "Office"). The Court's order requires the mail to be delivered to the Office. However, on or about October 28, 2004, ISC is giving up its lease at the Office; therefore, the mail cannot be delivered there. Instead, ISC proposes that the mail be held at the Pocatello Main Post Office. It will be picked up and distributed weekly by an ISC employee.

ISC's counsel has been unable to reach PDG's counsel to obtain agreement (or disagreement) to this proposal. This motion is based upon the accompanying affidavit of Scott J.

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INTERDENT SERVICE CORPORATION'S MOTION TO AMEND FEBRUARY 9, 2004
ORDER REGARDING THE MAIL - 2

Kaplan, the pleadings and papers on file herein and the matters stated on the record on October 21, 2004. A redlined version of the Court's Order is attached hereto.

DATED: October 27, 2004.

STOEL RIVES LLP



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G. Rey Reinhardt, ISB #6209

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Attorneys for Defendant/Third-Party Plaintiff
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INTERDENT SERVICE CORPORATION'S MOTION TO AMEND FEBRUARY 9, 2004
ORDER REGARDING THE MAIL - 3

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Certificate of service

I hereby certify that I served the foregoing INTERDENT SERVICE CORPORATION'S MOTION TO AMEND FEBRUARY 9, 2004 ORDER REGARDING THE MAIL on the following named person(s) on the date indicated below:

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Via U.S. Mail
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 Via Hand Delivery

DATED: October 27, 2004.

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InterDent Service Corporation

INTERDENT SERVICE CORPORATION'S MOTION TO AMEND FEBRUARY 9, 2004
ORDER REGARDING THE MAIL - 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

**POCATELLO DENTAL GROUP, P.C., an
Idaho professional corporation,**

Plaintiff,

vs.

**INTERDENT SERVICE CORPORATION,
a Washington corporation,**

Defendant.

CASE NO.: CV03-450-E-LMB

AMENDED ORDER REGARDING MAIL
SERVICE [PROPOSED]

**INTERDENT SERVICE CORPORATION,
a Washington corporation,**

Third-Party Plaintiff,

vs.

**POCATELLO DENTAL GROUP, P.C., an
Idaho professional corporation; DWIGHT G.
ROMRIELL, individually; LARRY R.
MISNER, JR., individually; PORTER
SUTTON, individually; ERNEST SUTTON,
individually; GREGORY ROMRIELL,
individually; ERROL ORMOND,
individually; and ARNOLD GOODLIFFE,
individually,**

Third-Party Defendants.

Based upon InterDent Service Corporation's ("ISC") Motion to Amend February 9, 2004
Order Regarding the Mail, the pleadings and papers on file herein and the matters stated on the
record on October 21, 2004, Currently pending before the Court is Defendant's Motion and
Application for a Temporary Restraining Order (Docket No. 40). Based upon the stipulation of

~~the parties,~~ and the Court finding good cause therefor, the Court amends its Order of February 9, 2004 as follows:

IT IS HEREBY ORDERED:

1. Pocatello Dental Group, P.C. ("PDG") and its officers, shareholders, agents, servants and employees, are ordered, pending the trial of this matter, to not divert mail addressed to PDG or InterDent Service Corporation ("ISC") at their address of 4155 Yellowstone Avenue, Pocatello, Idaho 83202. ISC and its officers, shareholders, agents, servants and employees are ordered, pending the trial of this matter, to not divert mail addressed to any individual dentist or marked "personal," and they may not open the same but must promptly deliver it to the dentist to whom it was addressed, or their designee, to be opened in the presence of an ISC employee. If such personal mail contains any revenue, as that term is described in paragraph 2.5 of the Dental Group Management Agreement dated October 11, 1996, the dentist shall promptly deliver the revenue to ISC for deposit pursuant to paragraph 3, below.

2. The mailing address of 4155 Yellowstone Avenue, Pocatello, Idaho 83202, shall be the mail address of record for PDG and ISC with respect to its Pocatello business affairs. Mail sent to such address shall be held at the Pocatello Main Post Office located at 730 East Clark Street, Pocatello, Idaho 83201, and picked up weekly by an ISC employee. ISC will then distribute the mail pursuant to the terms of this Amended Order. ISC is ordered to maintain a mail log identifying the receipt of each piece of mail addressed to PDG or ISC at their address of 4155 Yellowstone Avenue, Pocatello, Idaho 83202. The mail log shall contain the following information: (a) date received, (b) name and address of the sender, (c) name of addressee, (d) summary description of the contents of the mail, (e) if any revenue is contained in the mail, the log shall include a copy of the payment and supporting documentation of the explanation of

benefits. A copy of the mail log shall be maintained at the Pocatello office of PDG and ISC and be available to PDG. Upon written request, ISC shall provide PDG with a copy of any item of mail addressed to PDG or ISC.

3. ISC shall provide PDG with a monthly bank statement for the account in which funds payable to PDG are deposited. Within 30 days such account shall have electronic inquiry access. ISC shall provide PDG with a monthly profit-and-loss statement within 72 hours of its generation.

Dated this _____ day of _____, 2004.

UNITED STATES DISTRICT JUDGE