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BEFORE THE TENNESSEE STATE BOARD OF COSMETOLOGY

PETITION FOR DECLARATORY ORDER

NOTICE OF HEARING

(As required under Tenn. Code Ann. § 4-5-224)

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PUBLICATIONS

- 1. Petitioner's Name:** Beautiful Eyebrows TN Inc.
Abdul Siddiqi
- 2. Petitioner's Attorney:** W. Justin Adams
- Address:** Trauger & Tuke
222 Fourth Avenue North
Nashville, Tennessee 37219
- Telephone:** (615) 256-8585
- 3. Agency rule, order or statutory provision on which declaratory order is sought:** Tenn. Code Ann. § 62-4-102(a)(1)(C)
Tenn. Code Ann. § 62-4-102(a)(3)(F)
Tenn. Code Ann. § 62-4-108
- 4. Summary of Relief Requested:**

Petitioner, Beautiful Eyebrows TN Inc., is a Tennessee corporation and Petitioner, Abdul Siddiqi, is the president of Beautiful Eyebrows TN Inc. Petitioners state that at the April 6, 2009 board meeting, the Tennessee State Board of Cosmetology ("Board") incorrectly interpreted the statutory terms "cosmetology" and "aesthetics" to include hair removal by the practice of "threading." Petitioners further state that "threading" is a method of hair removal in which a thin, twisted cotton thread is rolled over areas of unwanted hair, removing the hair at the follicle level. The Board has issued notices of violation and imposed civil penalties and other sanctions against unlicensed persons and/or entities providing threading services by unlicensed employees or at unlicensed locations. Petitioners believe the Board's interpretation is erroneous and wish to provide threading services to customers in Tennessee using employees not licensed by the Board and at locations not licensed by the Board.

A complete copy of the Petition for Declaratory Order is attached hereto.

5. Summary of Statute or Regulation at Issue:

Tenn. Code Ann. § 62-4-102(a)(1)(C) provides that the term "aesthetics" as used in the Tennessee Cosmetology Act of 1986 shall include, among other things, giving facials, applying makeup, giving skin care or removing superfluous hair by tweezing, depilatories or waxing. Tenn. Code Ann. § 62-4-102(a)(3)(F) provides that the term "cosmetology"

