

**UNITED STATES OF AMERICA  
BEFORE FEDERAL TRADE COMMISSION**

**COMMISSIONERS:**           **Timothy J. Muris, Chairman**  
                                  **Mozelle W. Thompson**  
                                  **Orson Swindle**  
                                  **Thomas B. Leary**  
                                  **Pamela Jones Harbour**

In the Matter of	)	
	)	
	)	
<b>UNION OIL COMPANY OF CALIFORNIA,</b>	)	<b>Docket No. 9305</b>
<b>a corporation.</b>	)	
	)	
	)	

**ORDER GRANTING EXXONMOBIL CORPORATION'S  
MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF**

On January 14, 2004, ExxonMobil Corporation ("ExxonMobil") filed for leave to file brief as amicus curiae under Commission Rule § 3.52(j), 16 C.F.R. § 3.52(j), to support Complaint Counsel's appeal of the Initial Decision and Order Dismissing the Complaint. ExxonMobil also conditionally filed a brief. Respondent, Union Oil Company of California, did not file an answer or otherwise address the action sought by the motion. The Commission has determined to grant this Motion.

The Commission may upon a proper motion grant leave to file an amicus curiae brief. The motion must, among other things, "state the reasons why a brief of amicus curiae is desirable." 16 C.F.R. § 3.52(j). ExxonMobil is a California refiner that has a long history with, and has complained that it has been harmed by, the conduct challenged by the complaint in this matter. The Commission believes that ExxonMobil's perspective may be helpful in this matter and therefore finds that ExxonMobil's filing an amicus curiae brief would be desirable.

Accordingly,

**IT IS ORDERED THAT ExxonMobil be, and it hereby is, granted leave to file an amicus curiae brief. The brief will be deemed as having been filed on January 14, 2004.**

By the Commission.

  
C. Landis Plummer  
Acting Secretary

ISSUED: January 27, 2004