

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES



\_\_\_\_\_  
In the Matter of )  
 )  
Ardagh Group S.A., )  
a public limited liability company, and )  
 ) PUBLIC  
Compagnie de Saint-Gobain, )  
a corporation, and )  
 )  
Saint-Gobain Containers, Inc., ) DOCKET NO. 9356  
a corporation. )  
 )  
\_\_\_\_\_)

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE  
MOTIONS FOR *IN CAMERA* TREATMENT**

Respondents Ardagh Group S.A., Compagnie de Saint-Gobain, and Saint-Gobain Containers, Inc. respectfully move pursuant to FTC Rule of Practice 3.21(c)(2) to extend the deadline for Respondents and third parties to file motions for *in camera* treatment of confidential information and expert related exhibits. In support of the motion, Respondents state as follows:

1. On November 19, 2013, Respondents received notice from Complaint Counsel of its intent to introduce at the hearing confidential material produced by Respondents in the above-captioned matter, the related federal action (*FTC v. Ardagh Group S.A., et al.*, 13-CV-1021 (BJR) (D.D.C.)), and the Federal Trade Commission's investigation of Ardagh's proposed acquisition of Saint-Gobain Containers, Inc.

2. That same day, Respondents and Complaint Counsel notified numerous third parties of their intent to introduce confidential material that has been produced by the third parties as evidence at the hearing scheduled to begin in this matter on December 19, 2013.

3. Pursuant to the Revised Scheduling Order entered on October 18, 2013, the deadline for Respondents and third parties to file motions for *in camera* treatment of confidential information is currently November 26, 2013, with responses due on December 4. The deadline for the parties to file motions for *in camera* treatment of proposed expert related exhibits is December 5, 2013, with responses due on December 12.

4. In light of ongoing settlement negotiations between the parties, extending the deadline to file motions for *in camera* treatment may avoid an unnecessary burden on both the parties and third parties who would seek to protect their confidential information from public disclosure at the hearing, and it will also allow the parties to focus on settlement negotiations.

5. This is Respondents' first request for an extension of time to file motions for *in camera* treatment of confidential material and *in camera* treatment of expert related exhibits.

6. Complaint Counsel has consented to the relief requested herein.

7. Should the Court grant this motion, Respondents and Complaint Counsel will promptly notify third parties that the deadline for filing a motion for *in camera* treatment of confidential material has been extended.

WHEREFORE, Respondents respectfully request that the Court extend the deadline to file motions for *in camera* treatment of confidential information and motions for *in camera* treatment of expert related exhibits until December 9, 2013, and extend the deadline to file responses to *in camera* motions until December 13, 2013.

Dated: November 20, 2013

Respectfully submitted,

SHEARMAN & STERLING LLP

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**CERTIFICATE OF SERVICE**

I, Jason M. Swergold, an associate at Shearman & Sterling LLP, hereby certify that on November 20, 2013, I caused the foregoing document to be filed using the FTC's E-Filing System, which will send notifications of such filing to:

Donald S. Clark  
Secretary  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm. H-113  
Washington, DC 20580

I also certify that I delivered via electronic mail and hand delivery a copy of the foregoing document to:

The Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm. H-110  
Washington, DC 20580

I further certify that I delivered via electronic mail a copy of the foregoing document to:

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*Complaint Counsel*

November 20, 2013

By: /s/ Jason M. Swergold  
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**CERTIFICATE FOR ELECTRONIC FILING**

I certify that the electronic copy sent to the Secretary of the Commission is a true and correct copy of the paper original and that I possess a paper original of the signed document that is available for review by the parties and the adjudicator.

November 20, 2013

By: /s/ Jason M. Swergold  
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