

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

FEDERAL TRADE COMMISSION
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IN BENEFIT PROCEEDINGS

In the Matter of)
)
CHICAGO BRIDGE & IRON COMPANY N.V.,)
)
a foreign corporation,)
)
CHICAGO BRIDGE & IRON COMPANY,)
)
a corporation,)
)
and)
)
PITT-DES-MOINES, INC.,)
)
a corporation.)
_____)

Docket No. 9300

ORDER

UPON CONSIDERATION of the Respondents' Motion For A Sixty-Day Extension of Time, filed on June 14, 2002, and being fully advised in the premises,

IT IS HEREBY ORDERED that, because I find that the following extraordinary circumstances exist here, the Rule set forth in Rule of Practice 3.51(a) requiring a decision to be rendered within one year of the filing of the complaint shall be extended by sixty days:

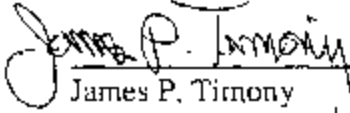
(1) After issuance of the complaint on October 25, 2001, the parties engaged in good faith settlement negotiations. Respondents' received two extensions on the answer date from this Court based on motions made jointly by Respondents and Complaint Counsel, both of whom wished to avoid turning the proceedings adversarial and to conserve litigation expenses when settlement prospects looked realistic. Thus, discovery in this case did not begin until March 2002.

(2) Once settlement negotiations failed, the parties have worked diligently and cooperatively to complete discovery. The parties have completed twenty (20) depositions to date, and have scheduled twenty (20) more within the next three weeks. However, that leaves an additional twenty (20) or more depositions that the parties wish to take before the close of discovery.

(3) On June 7, 2002, Complaint Counsel served a series of discovery requests upon Respondent Chicago Bridge & Iron ("CB&I"). CB&I has stated that it will take it at least two months to respond to these discovery requests.

(4) This is a complex case challenging a consummated merger where the Complaint alleges six different product markets, each of which have different customers, competitors, and witnesses. Discovery cannot be completed within the time permitted by the First Revised Scheduling Order. In the interest of having all of the relevant evidence before it, this Court has determined that the parties should be given an opportunity to complete the additional depositions and for Respondents to gather and produce information responsive to Complaint Counsel's June 7th discovery requests.

ORDERED:


James P. Timony
Administrative Law Judge

June 18, 2002