

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

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 ON MG INDUSTRIES' MOTION FOR *IN CAMERA* TREATMENT
OF TRIAL TESTIMONY OF MICHAEL PATTERSON AND TRIAL EXHIBIT**

I.

On December 2, 2002, the Office of Administrative Law Judges received a motion by MG Industries ("MGI") seeking *in camera* treatment for specific portions of trial testimony provided by MGI employee, Michael Patterson and for trial exhibit CX 1579.

On November 13, 2002, Complaint Counsel called Patterson as a witness in this matter. Pursuant to 16 C.F.R. § 3.45(g), on November 13, 2002, provisional *in camera* treatment was granted for portions of Proulx's trial testimony and for CX 1579. MGI now seeks *in camera* treatment for a period of one year for the portions of Patterson's testimony that have been granted provisional *in camera* status and for CX 1579.

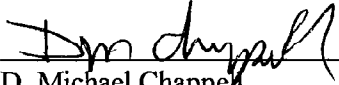
II.

The Order on Non-Parties' Motions for *In Camera* Treatment of Documents Listed on Parties' Exhibit Lists, issued on November 1, 2002 sets forth the standards by which MGI's motion for *in camera* treatment is evaluated. MGI's motion is supported by the affidavit of Michael Patterson, Director of Engineering, Bulk Products, for MGI. According to this affidavit, the disclosure of CX 1579 and the portions of Patterson's testimony relating to this document

would cause the loss of business advantage and serious and irreparable injury to MGI. A review of the affidavit in support of the motion, the document for which *in camera* treatment is sought, and the portions of Patterson's testimony that were granted provisional *in camera* status, reveals that this information meets the standards for *in camera* treatment.

Accordingly, MGI's motion is GRANTED. *In camera* treatment, for a period of one year, to expire December 1, 2003, is hereby GRANTED to CX 1579 and to the portions of Patterson's November 13, 2002 trial testimony that were previously granted provisional *in camera* treatment pursuant to 16 C.F.R. § 3.45(g).

ORDERED:


D. Michael Chappell
Administrative Law Judge

Date: December 13, 2002