

Accordingly, the parties respectfully request that the Commission dismiss the complaint.

A proposed order is attached.

Respectfully submitted,

✓ _____
Mary N. Lehner
Bureau of Competition
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580
(202) 326-3744
Complaint Counsel

_____/s/_____
John R. Fornaciari
Sheppard Mullin Richter & Hampton
1300 I Street, N.W., Eleventh Floor East
Washington, D.C. 20005
(202) 218-0009
Counsel for CRH plc

_____/s/_____
Deborah L. Feinstein
Arnold & Porter LLP
555 Twelfth Street, N.W.
Washington, D.C. 20004
(202) 942-5015
*Counsel for Robert Schlegel and the
Pavestone Companies*

Attachments

Dated: January 15, 2009

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

COMMISSIONERS: **William E. Kovacic, Chairman**
 Pamela Jones Harbour
 Jon Leibowitz
 J. Thomas Rosch

In the Matter of)	
)	
CRH plc,)	
a corporation,)	
)	
Oldcastle, Inc.,)	Docket No. 9335
a corporation,)	
)	
Oldcastle Architectural, Inc.,)	
a corporation,)	
)	
Robert Schlegel,)	
an individual,)	
)	
and)	
)	
Pavestone Company, LP)	
a limited partnership.)	

[PROPOSED] ORDER DISMISSING COMPLAINT

This matter comes before the Commission on Complaint Counsel's and Respondents' Joint Motion to Dismiss Complaint. Having considered the motion, it is hereby

ORDERED, that the Joint Motion to Dismiss Complaint, dated January 15, 2009, is granted and that the complaint be dismissed without prejudice.

By the Commission.

ISSUED: _____

Donald S. Clark
Secretary



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January 14, 2009

Our File No.: 02XT-104958

BY HAND DELIVERY

Premerger Notification Office
Federal Trade Commission
Bureau of Competition
600 Pennsylvania Avenue, N.W.
Room 303
Washington, D.C. 20580

Director of Operations & Merger Enforcement
Antitrust Division
Department of Justice
950 Pennsylvania Avenue, N.W.
Room 3335
Washington, D.C. 20530

Re: CRH/Schlegel (Pavestone), FTC File No. 081-0148
Transaction Identification No. 20080898

Dear Sir or Madam:

On behalf of CRH plc, I hereby withdraw, effective January 14, 2009, the above-identified Premerger Notification filing made under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 relating to the proposed acquisition of Pavestone and its affiliates listed on the HSR filing by CRH plc/Oldcastle.

Sincerely,

A handwritten signature in dark ink, appearing to be "John R. Fornaciari".

John R. Fornaciari
Counsel for CRH plc

cc: Peter Richman
Mary Lehner

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Press Releases

14 January 2009

CRH announces Pavestone acquisition will not proceed

CRH plc, the international building materials group, announces that it has agreed, together with Pavestone Group LP, to withdraw the Hart-Scott-Rodino (HSR) filing for CRH's proposed acquisition of Pavestone. These actions have been taken following the recent decision by The United States Federal Trade Commission (FTC) to authorise FTC staff to challenge the proposed acquisition. CRH and Pavestone regret that as a result the transaction will not now proceed.

Details of the proposed Pavestone acquisition were announced on 13 March 2008, with completion being subject to regulatory approvals including clearance under United States HSR legislation.

Contact CRH at Dublin 404 1000 (+353 1 404 1000)

Myles Lee, Chief Executive
Albert Manifold, Chief Operating Officer
Glenn Culpepper, Finance Director
Éimear O'Flynn, Head of Investor Relations
Maeve Carton, Group Controller

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 15, 2009, I served the attached Joint Motion to Dismiss

Complaint upon the following:

Office of the Secretary
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

Hon. D. Michael Chappell
Administrative Law Judge
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

John R. Fornaciari
Sheppard Mullin Richter & Hampton
1300 I Street, N.W., Eleventh Floor East
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Counsel for CRH plc

Deborah L. Feinstein
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Counsel for Robert Schlegel and the Pavestone Companies

✓

Mary N. Lehner