



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

In the Matter of)
)
)
 McWANE, INC.,)
 a corporation,)
)
 and)
)
 STAR PIPE PRODUCTS,)
 a limited partnership.)
)
)
)

PUBLIC

Docket No. 9351

**COMPLAINT COUNSEL’S MOTION FOR IN CAMERA TREATMENT OF
RESPONSES TO RESPONDENT McWANE’S FIRST SET OF REQUESTS FOR
ADMISSION**

Complaint Counsel move the Court for provisional *in camera* treatment, under Rules 3.45(g) and 4.2(c)(2), of our Responses to Respondent McWane’s First Set of Requests for Admissions. The grounds for this motion are that the requests may contain confidential business information of respondent McWane.

The Part 3 Rules treat requests for admissions differently than other written discovery requests. Rule 3.32(a) requires a party to file its requests for admissions with the Secretary and, consistent with Rule 4.2(c)(2), to indicate which requests, if any, may contain information that the party considers confidential. Here, McWane did not file its requests for admissions with the Secretary. We are uncertain whether McWane’s requests – including some that quote directly from business documents that McWane labeled “confidential” when it produced them – contain information that warrants *in camera* treatment. Therefore, provisional *in camera* treatment of these requests and our responses is appropriate until we can consult with McWane to determine

whether and what portions of their requests and our responses, if any, should be redacted in the public version.

We will consult with McWane on this issue and promptly file a public version of our Responses to Respondent McWane's First Set of Requests for Admission.

Dated: February 27, 2012

Respectfully submitted,

s/ Thomas H. Brock
Edward Hassi, Esq.
Geoffrey M. Green, Esq.
Linda Holleran, Esq.
Thomas H. Brock, Esq.
Michael J. Bloom, Esq.
Jeanine K. Balbach, Esq.
J. Alexander Ansaldo, Esq.
Andrew K. Mann, Esq.
Monica M. Castillo, Esq.

Counsel Supporting the Complaint
Bureau of Competition
Federal Trade Commission
Washington, DC 20580
Telephone: (202) 326-2470
Facsimile: (202) 326-3496
Electronic Mail: ehassi@ftc.gov

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

In the Matter of)	
)	
McWANE, INC.,)	
a corporation,)	
)	
and)	Docket No. 9351
)	
STAR PIPE PRODUCTS,)	
a limited partnership.)	
)	
)	
)	
)	

**[PROPOSED] ORDER GRANTING COMPLAINT COUNSEL’S MOTION FOR IN
CAMERA TREATMENT**

Upon consideration of Complaint Counsel’s Motion for In Camera Treatment of Responses to Respondent’s McWane’s First Set of Requests For Admission it is hereby ORDERED, that Complaint Counsel’s Motion for In Camera Treatment of Responses to Respondent’s McWane’s First Set of Requests For Admission is granted, and it is hereby ORDERED, that Complaint Counsel shall file a Public version of their Objections and Responses to Respondent McWane’s First Set of Requests for Admission on or before March 6, 2012.

ORDERED:

D. Michael Chappell
Chief Administrative Law Judge

Dated: _____

CERTIFICATE OF SERVICE

I certify that I filed via hand and electronic delivery an original and two copies of the foregoing document with:

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 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:

Joseph A. Ostoyich
Andreas Stargard
William C. Lavery
Baker Botts L.L.P.
The Warner
1299 Pennsylvania Ave., N.W.
Washington, D.C. 20004
(202) 639-7700
joseph.ostoyich@bakerbotts.com
andreas.stargard@bakerbotts.com
william.lavery@bakerbotts.com

J. Alan Truitt
Thomas W. Thagard III
Maynard Cooper and Gale PC
1901 Sixth Avenue North
2400 Regions Harbert Plaza
Birmingham, AL 35203
(205) 254-1000
atruitt@maynardcooper.com
tthagard@maynardcooper.com

Counsel for Respondent McWane, Inc.

Gregory S.C. Huffman
William Katz
Nicole Williams
Brian Stoltz
Thompson and Knight LLP
One Arts Plaza
1722 Routh Street, Suite 1500
Dallas, TX 75201
(214) 969-1700
Gregory.Huffman@tklaw.com
William.Katz@tklaw.com
Nicole.Williams@tklaw.com
Brian.Stoltz@tklaw.com

Counsel for Respondent Star Pipe Products, Ltd.

February 27, 2012

By: s/ Thomas H. Brock
Thomas H. Brock
Attorney