



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

In the Matter of)
) PUBLIC
MCWANE, INC.,)
 a corporation, and) DOCKET NO. 9351
)
STAR PIPE PRODUCTS, LTD.,)
 a limited partnership.)

UNOPPOSED MOTION FOR EXTENSION OF TIME

Pursuant to Rule of Practice 3.21(c)(2), Respondent McWane, Inc. (“McWane”) respectfully moves for a seven (7) day extension of time to respond and object to Complaint Counsel’s Requests for Admission served on May 22, 2012 and currently due on June 1, 2012. McWane also moves for corresponding 7-day extensions to the deadlines in the Scheduling Order for the provision of expert reports. In support of its motion, McWane states as follows:

1. Complaint Counsel served Requests for Admission on Respondent McWane on May 22, 2012. Responses and objections are due on June 1, 2012, the same date established by the Scheduling Order as the close of discovery. During this same 10-day time period between May 22 and June 1 (which includes Memorial Day), eighteen (18) fact depositions have been or are scheduled to be taken in nine (9) different cities. Good cause exists for the requested extension in that McWane counsel does not have sufficient time to adequately respond to the detailed Requests on behalf of their client, McWane, in light of the other, ongoing discovery.

2. Counsel for McWane has discussed the requested extension with Complaint Counsel. Because Complaint Counsel expects the responses to its Requests for Admissions to be used for its expert report, Complaint Counsel does not oppose the extension of time provided

there is a corresponding extension of the deadline for Complaint Counsel to provide its expert witness reports. The extension of the deadline for Complaint Counsel to provide expert witness reports would necessitate a similar extension of time of the deadline for McWane counsel to provide expert witness reports and the deadline for Complaint Counsel to identify rebuttal experts and provide rebuttal expert reports. Counsel for McWane agrees that there is good cause for this extension.

3. In sum, if the relief sought by McWane is granted, (i) McWane's responses and objections to the pending Requests for Admission would be due on Friday, June 8, 2012; (ii) the deadline for Complaint Counsel to provide expert witness reports would be extended to Friday, June 15, 2012; (iii) the deadline for McWane to provide expert witness reports would be extended to Friday, June 29, 2012; and, (iv) the deadline for Complaint Counsel to identify rebuttal experts and to provide rebuttal expert reports would be extended to Thursday, July 12, 2012. Neither the trial date nor any other deadlines established by the Scheduling Order would be affected.

4. No extensions of any other deadlines set by the Scheduling Order have been sought previously.

5. A proposed Order is attached for the Court's consideration.

Respectfully submitted,

/s/ J. Alan Truitt
Counsel for Respondent McWane, Inc.

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CERTIFICATE OF SERVICE

This is to certify that on May 30, 2012, I filed the foregoing document electronically in PDF format using the FTC's E-Filing System, which will send notification of such filing to:

Donald S. Clark
Secretary of Commission
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H113
Washington, D.C. 20580

I also certify that I delivered via overnight mail a copy of the foregoing document to:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Ave., NW, Rm. H-106
Washington, D.C. 20580

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

Edward Hassi
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Thomas H. Brock
Monica Castillo
Andrew K. Mann

/s/ J. Alan Truitt

J. Alan Truitt

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ORDER ON UNOPPOSED MOTION FOR EXTENSION OF TIME

On May 29, 2012, Respondent McWane, Inc. filed an unopposed motion seeking to extend the time for it to respond to pending Requests for Admission until June 8, 2012. Complaint Counsel does not object to the extension in the event the deadlines set by the Scheduling Order for Complaint Counsel to provide expert reports and rebuttal expert reports are extended by the same amount of time to June 15, 2012 and to July 12, 2012, respectively. In turn, McWane seeks a corresponding extension of the deadline in the Scheduling Order for it to provide expert reports to June 29, 2012. No other extensions have been sought and no other dates in the Scheduling Order would be affected. Based upon the agreement of the parties and good cause, the motion is GRANTED.

ORDERED this ____ day of May, 2012

D. MICHAEL CHAPPEL
Chief Administrative Law Judge