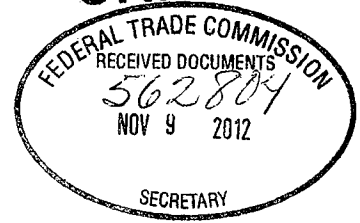


UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

ORIGINAL



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

PUBLIC

DOCKET NO. 9351

JOINT MOTION FOR EXTENSION OF TIME
[Corrected]

Pursuant to Rule of Practice 4.3(b), Respondent McWane, Inc. (“McWane”) and Complaint Counsel (jointly, “the parties”) respectfully move for a sixteen (16) day extension of time for the parties to file their proposed findings of fact, conclusions of law, and supporting briefs, currently due on November 28, 2012. The parties further move for an extension to January 18, 2013, to file their respective reply findings of fact, conclusions of law, and supporting briefs.

The Court stated its view, after the close of evidence in this multi-week trial, that the ten days provided by Rule 3.46(a) was not a sufficient amount of time to file replies given the “extensive” trial record in this case and the fact that the parties are required to be “very thorough and careful in replying to each other’s proposed findings[,]” and will likely be called upon in their reply briefs to distinguish true evidence from considerable “testimony that has been allowed on the grounds that it was not offered for the truth of the matter asserted” and “exhibits and deposition designations” that were only “conditionally admitted.” (Nov. 2, 2012, Tr. at 172-173.)

While the Court referenced a potential extension with respect to the due date of the reply memoranda only, the parties respectfully submit that the proposed extensions requested herein would conserve judicial resources over the holidays and also negate certain conflicts with the parties’ travel schedules during the holiday season, and another two-week trial involving

McWane's counsel scheduled to commence at the beginning of December. As such, the parties believe good cause exists pursuant to Rule 4.3(b) to support the extensions requested here.

If the relief sought is granted, the parties' proposed findings of fact, conclusions of law, and supporting briefs would be due on December 14, 2012. The parties' reply findings of fact, conclusions of law, and supporting briefs would be due on January 18, 2013.

Respectfully submitted,

For Complaint Counsel:

/s/ Edward Hassi
Edward Hassi
Federal Trade Commission
Washington, DC

For Respondent:

/s/ William C. Lavery
William C. Lavery
Baker Botts LLP
Washington, DC

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
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In the Matter of

**McWANE, INC.,
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PUBLIC

DOCKET NO. 9351

[PROPOSED] ORDER REGARDING JOINT MOTION FOR EXTENSION OF TIME

Good cause having been shown,

IT IS SO ORDERED:

That the Joint Motion for Extension of Time is GRANTED; and

The parties' deadline to file findings of fact, conclusions of law, and supporting briefs is December 14, 2012. The parties' deadline to file reply findings of fact, conclusions of law, and supporting briefs is hereby extended to January 18, 2013.

D. Michael Chappell
Administrative Law Judge

DATED: _____

CERTIFICATE OF SERVICE

This is to certify that on November 9, 2012, I delivered via electronic 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-110
Washington, DC 20580

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By: /s/ William C. Lavery
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Counsel for McWane, Inc.