

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



In the Matter of)
)
Ardagh Group S.A.,) *PUBLIC*
a public limited liability company, and)
)
Compagnie de Saint-Gobain,) DOCKET NO. 9356
a corporation, and)
)
Saint-Gobain Containers, Inc.,)
a corporation.)
)
_____)

**RESPONDENT'S UNOPPOSED MOTION FOR *IN CAMERA* TREATMENT OF
EXHIBITS TO RESPONDENT'S MEMORANDUM IN OPPOSITION TO COMPLAINT
COUNSEL'S MOTION *IN LIMINE* TO EXCLUDE ANY EVIDENCE OF
RESPONDENTS' POSSIBLE DIVESTITURES TO UNDETERMINED BUYERS**

[REDACTED - IN CAMERA TREATMENT
REQUESTED]

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

_____)	
In the Matter of)	
)	
Ardagh Group S.A.,)	
a public limited liability company, and)	
)	
Compagnie de Saint-Gobain,)	
a corporation, and)	<i>PUBLIC</i>
)	
Saint-Gobain Containers, Inc.,)	
a corporation.)	DOCKET NO. 9356
)	
_____)	

DECLARATION OF JAMES J. FREDLAKE

I, James J. Fredlake, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

**[REDACTED - IN CAMERA
TREATMENT REQUESTED]**

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

_____)	
In the Matter of)	
)	
Ardagh Group S.A.,)	
a public limited liability company, and)	
)	
Compagnie de Saint-Gobain,)	
a corporation, and)	<i>PUBLIC</i>
)	
Saint-Gobain Containers, Inc.,)	
a corporation.)	DOCKET NO. 9356
)	
_____)	

DECLARATION OF NICHOLAS HEWITT

I, Nicholas Hewitt, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

**[REDACTED - IN CAMERA
TREATMENT REQUESTED]**

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

In the Matter of)	
)	
Ardagh Group S.A.,)	
a public limited liability company, and)	
)	
Compagnie de Saint-Gobain,)	
a corporation, and)	<i>PUBLIC</i>
)	
Saint-Gobain Containers, Inc.,)	DOCKET NO. 9356
a corporation.)	
)	
)	

STATEMENT REGARDING MEET AND CONFER

On December 11, 2013, Respondent’s counsel, Jason M. Swergold, conferred with Complaint Counsel, Amanda Hamilton, regarding Respondent’s Unopposed Motion for *In Camera* Treatment of Exhibits to Respondent’s Memorandum in Opposition to Complaint Counsel’s Motion *In Limine* to Exclude Any Evidence of Respondents’ Possible Divestitures to Undetermined Buyers. Complaint Counsel has indicated that they do not oppose Respondent’s motion.

Dated: December 11, 2013

Respectfully submitted,

SHEARMAN & STERLING LLP

By: /s/ Richard F. Schwed
Richard F. Schwed
Alan S. Goudiss
Wayne Dale Collins
Lisl Joanne Dunlop
SHEARMAN & STERLING LLP
599 Lexington Avenue
New York, NY 10022
Telephone: (212) 848-4000
rschwed@shearman.com

Heather L. Kafele
SHEARMAN & STERLING LLP
801 Pennsylvania Avenue N.W.
Washington, DC 20004
Telephone: (202) 508-8000
Facsimile: (202) 508 8100

*Counsel for Respondent Ardagh Group
S.A.*

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

_____)	
In the Matter of)	
)	
Ardagh Group S.A.,)	
a public limited liability company, and)	
)	
Compagnie de Saint-Gobain,)	
a corporation, and)	PUBLIC
)	
Saint-Gobain Containers, Inc.,)	
a corporation.)	DOCKET NO. 9356
)	
_____)	

[PROPOSED] ORDER GRANTING RESPONDENT’S UNOPPOSED MOTION FOR *IN CAMERA* TREATMENT OF EXHIBITS TO RESPONDENT’S MEMORANDUM IN OPPOSITION TO COMPLAINT COUNSEL’S MOTION *IN LIMINE* TO EXCLUDE ANY EVIDENCE OF RESPONDENTS’ POSSIBLE DIVESTITURES TO UNDETERMINED BUYERS

Upon consideration of Respondent’s Unopposed Motion For *In Camera* Treatment of Exhibits to Respondent’s Memorandum in Opposition to Complaint Counsel’s Motion *In Limine* to Exclude Any Evidence of Respondents’ Possible Divestitures to Undetermined Buyers, it is hereby ordered that the Motion is **GRANTED** and *in camera* treatment will be given to the exhibits identified in the Motion for the time period indicated therein.

Dated: December __, 2013

Honorable D. Michael Chappell
Chief Administrative Law Judge