



Office of the Director
Bureau of Competition

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

John R. Fornaciari
Sheppard Mullin Richter & Hampton LLP
1300 I Street, NW; Eleventh Floor East
Washington, D.C. 20005-3314

Re: CRH (Oldcastle) / Schlegel (Pavestone), File No. 081-0148

Dear Mr. Fornaciari:

The Commission has conducted a nonpublic investigation to determine whether the proposed acquisition of Pavestone Company, LP, by Oldcastle Architectural, Inc., may violate Section 7 of the Clayton Act or Section 5 of the Federal Trade Commission Act. As a result of this investigation, the Commission found reason to believe that the proposed acquisition may violate Section 7 of the Clayton Act and Section 5 of the Federal Trade Commission Act. Accordingly, on January 14, 2009, the Commission directed the staff of the Bureau of Competition to seek, from an appropriate United States District Court, a preliminary injunction pursuant to Section 13(b) of the Federal Trade Commission Act, if necessary, to block consummation of the proposed acquisition. The Commission also conducted an investigation to determine whether the conduct of the parties during the pendency of the proposed acquisition violated Section 7A of the Clayton Act or Section 5 of the Federal Trade Commission Act.

By letter dated January 14, 2009, counsel for Oldcastle Architectural, Inc., notified staff that the parties had abandoned the proposed transaction, and on June 22, 2009, counsel provided certification by Oldcastle employee Thomas Conroy that the company has destroyed all nonpublic information obtained from Pavestone Company LP during the pendency of the proposed acquisition.¹ Based on these representations and upon further review of this matter, it now appears that no further action by the Commission is warranted at this time. Accordingly, pursuant to authority delegated by the Commission, 49 Fed. Reg. 6171 (1984), the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Feinstein".

Richard A. Feinstein
Bureau Director

¹The Commission understands that some nonpublic electronic data may continue to reside on back-up tapes in the possession of CRH, but that such information will not be accessed or retrieved without the consent of the Commission.