

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



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In the Matter of )  
 )  
Tronox Limited, )  
a corporation, )  
 )  
National Industrialization Company )  
(TASNEE) )  
a corporation, )  
 )  
National Titanium Dioxide Company )  
Limited (Cristal) )  
a corporation, and )  
 )  
Cristal USA Inc. )  
a corporation, )  
 )  
Respondents. )  
\_\_\_\_\_

DOCKET NO. 9377

**ORDER EXTENDING TIME FOR FILING INITIAL  
DECISION PURSUANT TO COMMISSION RULE 3.51**

Federal Trade Commission (“FTC”) Rule of Practice 3.51(a) provides that “[t]he Administrative Law Judge shall file an initial decision within 70 days after the filing of the last filed initial or reply proposed findings of fact, conclusions of law and order . . . .” 16 C.F.R. § 3.51(a). The last reply proposed findings and conclusions and briefs were filed September 10, 2018. Pursuant to Rule 3.51, therefore, the Initial Decision would be issued on or before November 19, 2018. FTC Rule 3.51(a) further provides that “[t]he Administrative Law Judge may extend [this time period] by up to 30 days for good cause.” 16 C.F.R. § 3.51(a).

The Commission’s Complaint alleges that a proposed acquisition by Respondent Tronox Limited (“Tronox”) of the titanium dioxide business of The National Titanium Dioxide Company Limited (“Cristal”) may substantially lessen competition in the market for the sale of chloride process titanium dioxide in North America, in violation of Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18, and Section 5 of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 45. Complaint ¶¶ 1, 3, 59-62. Respondents

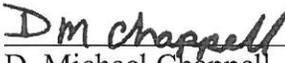
deny that the proposed acquisition will substantially lessen competition and further assert that the acquisition will be procompetitive because it will result in substantial synergies and efficiencies that outweigh any anticompetitive effects. Answer of Tronox, ¶ 3 and affirmative defense ¶¶ 9-13; Answer of Cristal, ¶ 3 and affirmative defense 10.

The record from this multi-week trial is extensive, involving numerous expert witnesses and complex issues. Over 3,690 exhibits were admitted. Sixty-three witnesses testified, either live or by deposition, including five expert witnesses, and there are 4,019 pages of trial transcript. The parties submitted a total of 1,754 proposed findings of fact. The parties' proposed findings of fact, conclusions of law, replies to proposed findings of fact and conclusions of law, post-trial briefs, and reply briefs, total 2,036 pages.

Moreover, since the conclusion of the trial in this matter, the Administrative Law Judge has presided over one multi-week trial and is currently presiding over another trial.

For all the foregoing reasons, good cause exists to extend the deadline for filing the Initial Decision in this matter by up to 30 days, to December 19, 2018.

ORDERED:

  
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D. Michael Chappell  
Chief Administrative Law Judge

Date: November 9, 2018