

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION



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In the Matter of )  
)  
CHICAGO BRIDGE & IRON COMPANY N.V. )  
a foreign corporation, )  
)  
CHICAGO BRIDGE & IRON COMPANY, ) DOCKET NO. 9300  
a corporation, and )  
)  
PITT-DES MOINES, INC., )  
a corporation. )  
\_\_\_\_\_)

**ORDER GRANTING JOINT MOTION FOR FURTHER  
EXTENSION OF THE ONE YEAR DECISION RULE**

By Joint Motion For Further Extension of the One Year Decision Rule, filed on December 11, 2002, Complaint Counsel and Respondents have jointly requested, pursuant to Rule 3.51(a) of the Federal Trade Commission's Rules of Practice, an additional 60 day extension of the date by which the initial decision in this matter shall be filed.

Rule 3.51(a) requires that initial decisions be filed within one year following the issuance of the complaint, but allows the Administrative Law Judge to extend the one year deadline by an additional period of up to 60 days, upon a finding of extraordinary circumstances. Such extension may be continued for additional consecutive periods of up to 60 days, provided that each additional period is based upon a finding by the Administrative Law Judge that extraordinary circumstances are still present. 16 C.F.R. § 3.51(a).

The complaint in this matter was issued on October 25, 2001. By Order signed on June 18, 2002 by the previous Administrative Law Judge in this litigation, one sixty-day extension has already been granted, extending the deadline for filing the initial decision to December 25, 2002.

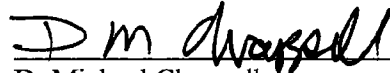
The parties assert that extraordinary circumstances for granting an additional 60 day extension continue to exist in this case. The trial in this matter commenced on November 12, 2002. The parties represent that trial is not expected to conclude until January 2003. There have already been 17 days of trial, over 30 witnesses have testified, hundreds of exhibits have been admitted, and there are currently over 4,000 pages of trial transcript. This substantial record must

be thoroughly reviewed. Because the trial in this matter is not anticipated to conclude by December 25, 2002, extraordinary circumstances are present.

In addition, the parties state that they must have adequate time to prepare proposed findings of fact and conclusions of law and that the Court must have adequate time to consider the post trial briefs and the record and write the initial decision. Commission Rule 3.46 sets forth very specific requirements for post trial briefs. The parties must be allotted sufficient time to file their proposed findings of fact, conclusions of law, and order in conformance with Commission Rule 3.46. Thus, it would not be feasible to file an initial decision by December 25, 2002.

For the above stated reasons, extraordinary circumstances exist for granting an additional extension of 60 days for filing the initial decision. The Joint Motion is GRANTED. The deadline for filing the initial decision is hereby extended to February 24, 2003.

ORDERED:

  
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D. Michael Chappell  
Administrative Law Judge

Date: December 17, 2002