

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

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In the Matter of)	
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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.)	
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NOTICE OF APPEARANCE

Pursuant to Section 4.1 of the Commission's Rules of Practice, please enter the appearance of Jeffrey S. Spigel and Kathryn E. Walsh as counsel on behalf of third party Project Technical Liaison Associates, Inc., in the above-captioned matter.

Dated: November 12, 2002

Respectfully submitted,

KING & SPALDING
Attorneys for Project Technical Liason
Associates, Inc.
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Washington, DC 20006
Telephone: (202) 737-0500
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By: _____
Kathryn E. Walsh
Jeffrey S. Spigel

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**THIRD PARTY PROJECT TECHNICAL LIAISON ASSOCIATES, INC.’S
UNOPPOSED MOTION FOR *IN CAMERA* TREATMENT OF
DESIGNATED DEPOSITION TESTIMONY**

Project Technical Liaison Associates, Inc. (“PTLA”) moves for *in camera* treatment of designated portions of the deposition testimony given by Patricia A. Outtrim on June 4, 2002. The portions for which *in camera* treatment is sought are identified in the accompanying memorandum and in Exhibit 1. The designated portions include confidential client information and proprietary business information.

The facts and authorities in support of this unopposed motion are set forth in the accompanying memorandum and exhibits, including Ms. Outtrim’s declaration.

Dated: November 12, 2002

Respectfully submitted,

KING & SPALDING
Attorneys for Project Technical Liaison
Associates, Inc.
1730 Pennsylvania Avenue, NW
Washington, DC 20006
Telephone: (202) 737-0500
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Outtrim desires to protect certain portions of her deposition testimony from being used at trial in order to preserve the confidentiality agreements between PTLA and her clients.

On October 15, 2002, PTLA filed a motion with this Court requesting *in camera* treatment of the designated portions of her deposition testimony. On November 1, 2002, this Court found PTLA's motion deficient and dismissed it without prejudice. This Court gave PTLA until November 12, 2002, to file an amended motion requesting *in camera* treatment.

Thus, PTLA respectfully requests that the designated portions of Ms. Outtrim's deposition specified in Exhibit 1 be afforded *in camera* treatment. The designated portions of the deposition contain confidential client information and proprietary business information. The sensitive and proprietary nature of the information discussed in the deposition is described below as well as in the accompanying declaration of Patricia A. Outtrim, the President of PTLA.

II. STANDARD FOR *IN CAMERA* TREATMENT

Under Commission Rule 3.45(b), materials merit *in camera* treatment when "public disclosure of the information would be prejudicial to the interests of justice, the public interest, or the confidential or proprietary information of a party."

and (6) the ease or difficulty with which the information could be properly acquired or duplicated by others. *Id.*

Third party requests for *in camera* treatment are entitled to “special solicitude.” *In re Kaiser Aluminum & Chemical Corp.*, 1984 F.T.C. LEXIS 60 at *2 (“As a policy matter, extensions of confidential or *in camera* treatment in appropriate cases involving third party bystanders encourages cooperation with future adjudicative discovery requests.”) As discussed below, the designated portions of Ms. Outtrim’s deposition testimony meet the above standards and should be afforded *in camera* treatment.

III. THE DESIGNATED PORTIONS OF THE DEPOSITION WARRANT IN CAMERA TREATMENT

The portions of the deposition specified in Exhibit 1 contain two categories of information that merit *in camera* treatment: confidential client information gathered by PTLA in the course of its consulting work, and proprietary business information about PTLA itself.

Several of the deposition’s designated portions discuss non-public information about current and potential clients. PTLA gathers information of this type in its role as a consultant, and it is crucial that PTLA protect this information from public dissemination. First, this information is protected under confidentiality agreements between Ms. Outtrim and these clients. In addition, public dissemination of these portions of the deposition would result in members of the industry having access to competitively sensitive, non-public information.

The designated portions of the deposition also refer to proprietary information concerning PTLA. PTLA, a non-public company, considers the information contained in the designated portions of the deposition proprietary. As a result, the dissemination of this information would result in damage to PTLA.

IV. CONCLUSION

For the reasons set forth herein, PTLA respectfully requests that of the designated portions of Patricia A. Outtrim's June 4, 2002, deposition testimony be granted *in camera* treatment indefinitely. When information that will remain competitively sensitive is at stake, the length of *in camera* ~~in respect to~~ *in respect to* ~~the~~ *the* Patricia A. Outtrim's June 4, 2002, depo th fpeti O-4.

Dated: November 12, 2002

Respectfully submitted,

KING & SPALDING
Attorneys for Project Technical Liaison
Associates, Inc.

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**DECLARATION OF PATRICIA A. OUTTRIM IN SUPPORT OF THIRD PARTY
PROJECT TECHNICAL LIAISON ASSOCIATES, INC.'S UNOPPOSED MOTION
FOR *IN CAMERA* TREATMENT OF DESIGNATED DEPOSITION TESTIMONY**

PATRICIA A. OUTTRIM declares as follows:

1. I am the President of Project Technical Liaison Associates, Inc. ("PTLA").
2. Based on my personal knowledge I submit this declaration in support of PTLA's motion for *in camera* treatment of specific portions of a deposition given by me on June 4, 2002. The specific portions for which *in camera* treatment is sought are designated in Exhibit 1.

3. *In camera* treatment for the specified portions of the June 4, 2002, deposition is imperative. The designated portions of the deposition contain confidential client information and proprietary information of PTLA, a non-public company. Disclosure of these portions of the deposition give competitors in the industry access to competitively sensitive non-public information and would result in substantial harm to PTLA.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing in true and correct.

Executed on 4/11/02 in Spring, TX