



In the Matter of)
)
 CHICAGO BRIDGE & IRON COMPANY N.V.)
 a foreign corporation,)
)
 CHICAGO BRIDGE & IRON COMPANY,)
 a corporation, and)
)
 PITT-DES MOINES, INC.,)
 a corporation.)

DOCKET NO. 9300

ORDER ON RESPONDENTS' MOTION FOR DIRECTED VERDICT ON THE ISSUE OF REMEDY

I.

January 28, 2003. The motion for leave to file a reply is DENIED. For reasons set forth below, the motion for directed verdict is DENIED WITHOUT PREJUDICE.

II.

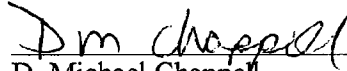
Complaint Counsel's proposed remedy, directed verdict is appropriate pursuant to Rule 3.22(e) of the Commission's Rules of Practice.

Dismiss is made at the close of the evidence offered in support of the complaint based upon an

Complaint Counsel's opposition asserts that a motion for directed verdict makes little

28, 2003. Post trial briefing has been scheduled. Commission Rule 3.22(e) authorizes the filing of a motion to dismiss at the close of the government's case. However, Respondents' motion raises substantive issues that, at this point in the proceedings, are better addressed after a thorough review of the record and full briefing on all the legal issues raised by the violations alleged in the Complaint and any defenses thereto. Accordingly, the motion is DENIED WITHOUT PREJUDICE. The issues raised by this motion and opposition may be incorporated into the post trial briefs and will be addressed, as appropriate, in the Initial Decision.

ORDERED:


D. Michael Chappell
Administrative Law Judge

Date: January 28, 2003