UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

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)

as we did at closing argument, that the law (15 U.S.C. § 21(b)) requires such a divestiture. (Opposition Mot. 2-7). How can Respondents be surprised by the governing law on the issue they raised?

On the second point, Respondents acknowledged in their Motion that the matter of remedy "was an important part of the trial on liability" and that they had "elicited testimony touching on the issue of remedy from a dozen witnesses." (Mot. for Directed Verdict 9). This evidence, which Respondents acknowledge is uncontradicted (*id.*), demonstrates that a successful divestiture must be implemented through a restoration of a competitive entity, including assignment of contracts, restoration of sufficient personnel, a sufficient revenue base and scale, assets of

Washington, D.C. 20580
(202) 326-3669

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

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

ORDER

On January 24, 2003, Respondents filed a Motion for Leave to File Reply to Complaint Counsel's Opposition to Respondents' Motion for Directed Verdict on the Issue of Remedy ("Motion for Leave to Reply"). On January 28, 2003, Complaint Counsel filed an Opposition to Respondents' Motion for Leave to Reply. Having fully considered Respondents' Motion and Complaint Counsel's Opposition thereto, the Court denies Respondents' Motion for Leave to Reply.

IT IS HEREBY ORDERED that Respondents' motion is denied in its entirety.

ORDERED

D. Michael Chappell
Administrative Law Judge

Date: January __, 2003

CERTIFICATE OF SERVICE

I hereby certify that I caused two copies of Complaint Counsel's Opposition to Respondents' Motion for Leave to File Reply to be delivered by hand to:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
H-104
600 Pennsylvania Avenue, N.W.
Washington D.C. 20580

Administrative Law Judge

and one copy by facsimile and by first-class mail to:

Jeffrey A. Leon
Duane M. Kelley
Winston & Strawn
35 W. Wacker Drive
Chicago, IL 60601-9703
(312) 558-5600

Counsel for Respondents Chicago Bridge & Iron Company N.V. and Pitt-Des Moines, Inc.

Dated: January 28, 2003

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Cecelia Waldeck