

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

COMMISSIONERS: Timothy J. Muris, Chairman
Sheila F. Anthony
Mozelle W. Thompson
Orson Swindle
Thomas B. Leary

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 EXTENDING
TIME TO FILE INITIAL DECISION**

Rule 3.51(a) of the Commission Rules of Practice provides that an Initial Decision shall be filed “within ninety (90) days after closing the hearing record pursuant to § 3.44(c) . . . or within such further time as the Commission may by order allow upon written request from the Administrative Law Judge.” 16 C.F.R. § 3.51(a) (2003). Pursuant to Commission Rule 3.44(c), the hearing record in the above-captioned matter was closed on January 28, 2003, and the ninety-day period therefore will end on April 28, 2003. Administrative Law Judge D. Michael Chappell has now filed a request that the Commission extend the time for filing the Initial Decision in this matter by 45 days, until June 12, 2003. For the reasons set forth below, the Commission has determined to grant that request.

The Commission issued the complaint in this matter on October 25, 2001. On June 18, 2002, the previous Administrative Law Judge in this litigation issued an Order granting a sixty-day extension, by extending the start of trial date until November 12, 2002, and extending the deadline for filing the Initial Decision until December 25, 2002. The trial began on November 12, 2002, and concluded on January 16, 2003. Upon Joint Motion by the parties and by Order issued on December 17, 2002 – because the trial was then still continuing – an additional sixty-day extension was granted, extending the deadline for filing the Initial Decision to February 24,

2003. Upon Joint Motion by the parties and by Order issued on January 28, 2003, Judge Chappell found that extraordinary circumstances for granting an additional sixty-day extension existed, and therefore extended the deadline for filing the Initial Decision until April 28, 2003.

Judge Chappell has now requested that the Commission extend the time for filing the Initial Decision until June 12, 2003. In his request, Judge Chappell notes that there have been 34 days of trial; that more than 40 witnesses testified; that hundreds of exhibits were admitted; and that there are more than 8,000 pages of trial transcript. He also points out that the parties' proposed findings of fact, replies to proposed findings of fact, post-trial briefs, and reply briefs total 2,018 pages. As Judge Chappell indicates, this substantial record must be thoroughly reviewed, and circumstances beyond his control made it necessary for him to take extensive time off after closing the hearing record in this case.

Accordingly,

IT IS ORDERED that the time for filing the Initial Decision in this matter be, and it hereby is, extended until June 12, 2003.

By the Commission.

Donald S. Clark
Secretary

ISSUED: April 24, 2003