

ORIGINAL

FEDERAL TRADE COMMISSION

NOTICE OF APPEARANCE



UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION



In the Matter of)
)
Paul L. Foster,)
)
Western Refining, Inc., and)
)
Giant Industries, Inc.)
_____)

Docket No. 9323

DECLARATION OF JONATHAN BERMAN

Pursuant to Section 4.1 of the Federal Trade Commission's Docketing and Filing Procedures, I, Jonathan Berman, do hereby certify that I am the author of the enclosed document and that I am not a party to this proceeding. I am not a representative of any party to this proceeding and I am not acting in the interest of any party to this proceeding. I am not a member of the staff of the Federal Trade Commission and I am not an employee of the Federal Trade Commission. I am not a member of the staff of the Federal Trade Commission and I am not an employee of the Federal Trade Commission.

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PUBLIC FILING

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DECLARATION OF TOM D. SMITH

Pursuant to Section 4.1 of the Federal Trade Commission's Rules of Practice, and in support of my Notice of Appearance in this case, I certify that I am eligible to represent Giant Industries, Inc. before the Federal Trade Commission. I am

[REDACTED]

of the District of Columbia Bar (Bar No. 221986) and in good standing within the legal

CERTIFICATE OF SERVICE AND COMPLIANCE

I, Hugh M. Hollman, certify that on May 23, 2007, copies of the above Defendant Giant Industries, Inc.'s Answer to Complaint and Notice of Appearance (with accompanying declarations) were served on the following as indicated:

Hon. Stanley J. McGowan