BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS:

William E. Kovacic, Chairman

Pamela Jones Harbour

Jon Leibowitz
J. Thomas Rosch

(KOE	RECOMM	
	JAN 15200	
1885	SECRETARY	

In the Matter of

CRH plc,

a corporation,

Oldcastle, Inc.,

a corporation,

Oldcastle Architectural, Inc., a corporation,

Robert Schlegel,

and

Pavestone Company, LP a limited partnership.

an individual.

Docket No. 9335 PUBLIC

JOINT MOTION TO DISMISS COMPLAINT

Complaint Counsel and Respondents jointly move to dismiss the complaint in the above-captioned matter. On January 14, 2009, Respondents informed Complaint Counsel that they have decided not to proceed with the proposed acquisition by Oldcastle Architectural, Inc., a subsidiary of CRH plc ("CRH"), of the Pavestone companies. As set forth in the attached letter, CRH has withdrawn its Hart-Scott-Rodino Notification and Report Forms filed for the proposed transaction. The complaint is now moot.

Accordingly, the parties respectfully request that the Commission dismiss the complaint.

A proposed order is attached.

Respectfully submitted,

Durgay of Compatition

Bureau of Competition
Federal Trade Commission
600 Pennsulvania Avanua NUM

Washington, D.C. 20580 (202) 326–3744 Complaint Counsel

John R. Fornaciari
Sheppard Mullin Richter & Hampton
1300 I Street, N.W., Eleventh Floor East
Washington, D.C. 20005
(202) 218-0009

Counsel for CRH plc

/s/

Deborah L. Feinstein
Arnold & Porter LLP
555 Twelfth Street, N.W.
Washington, D.C. 20004
(202) 942-5015
Counsel for Robert Schlegel and the
Pavestone Companies

Attachments

Dated: January 15, 2009

UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION

William E. Kovacic, Chairman

Pamela Jones Harbour

COMMISSIONERS:

Jon Leibe J. Thoma	
In the Matter of	
CRH plc, a corporation,)))
Oldcastle, Inc., a corporation,) Docket No. 9335)
Oldcastle Architectural, Inc., a corporation,)))
Robert Schlegel, an individual,)))
and)))
P. F.	· ·
a limited partnership.)
[PROPOSED] ORI	DER DISMISSING COMPLAINT
	nmission on Complaint Counsel's and Respondents'
Joint Motion to Dismiss Complaint. Hav	ring considered the motion, it is hereby
ORDERED, that the Joint Motion	to Dismiss Complaint, dated January 15, 2009, is
granted and that the complaint be dismiss	sed without prejudice.
By the Commission.	
ISSUED:	Donald S. Clark
	Donald S. Clark Secretary



CRH - CR	H announces Pavestone acquisition will not proceed	http://www.orh.com/orhoom/modic/mass/2000/2000_01_14/0/	
 			_
-			_
			-
			_
.*-).		
1			
			1
1			
A			
6			_
- 1			•
1		<u> </u>	=
- .			
	Press Releases		
	14 January 2009 CRH announces Pavestone acquisition will not proceed		
ļr	CPH Netha international building materials are a comment that the	N + 11 11 11 2 1 1 2 1 1 1 1 1 1 1 1 1 1	_
			=
			=
			_
-			_
` <u>t</u>			_
1			_
<u>X</u>			
- δ			_
_			
			-
Y			=
ı <u>.</u>			

CERTIFICATE OF SERVICE

	GHERV CUDTILV that an Tame		, , , , , , , , , , , , , , , , , , ,	
	HEDEBY CEDTIEV that on Tame			1d_*
1.10				
•				
•				
1				
•				
			,	
1				
·				
-				
·				
1				
_				
, <u></u>				
-				
1				
<i>,</i> -				
1				
<u> </u>				
<u></u>				
2				
<u> </u>				
· · · · · · · · · · · · · · · · · · ·				

· · · · · · · · · · · · · · · · · · ·				
· · · · · · · · · · · · · · · · · · ·			_	
· · · · · · · · · · · · · · · · · · ·				
· · · · · · · · · · · · · · · · · · ·		·		
· · · · · · · · · · · · · · · · · · ·		·		
· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·		
· · · · · · · · · · · · · · · · · · ·				·
· · · · · · · · · · · · · · · · · · ·		· ·		-
· · · · · · · · · · · · · · · · · · ·				
· · · · · · · · · · · · · · · · · · ·	G 1 , , , , , , , , , , , , , , , , , ,			
		·		
		· · · · · · · · · · · · · · · · · · ·		
· · · · · · · · · · · · · · · · · · ·				-
				`
				-

Office of the Secretary Federal Trade Commission 600 Pennsylvania Avenue, N.W. Washington, D.C. 20580

Hon. D. Michael Chappell Administrative Law Judge 600 Pennsylvania Avenue, N.W. Washington, D.C. 20580

John R. Fornaciari