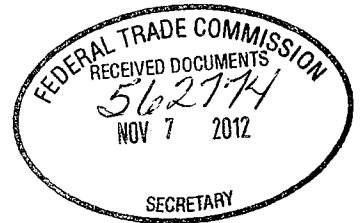


**FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**



In the Matter of)
)

McWANE, INC.,)
a corporation, and)

STAR PIPE PRODUCTS, LTD.,)
a limited partnership,)
Respondents.)

DOCKET NO. 9351

**ORDER DENYING RESPONDENT'S MOTION TO DISMISS
AT THE CLOSE OF EVIDENCE OFFERED
IN SUPPORT OF THE COMPLAINT**

I.

The Complaint in this matter brings seven counts against Respondent McWane, Inc. ("Respondent"), including charges that Respondent violated Section 5 of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 45, which prohibits unfair and deceptive acts or practices. (Complaint at 2, 1

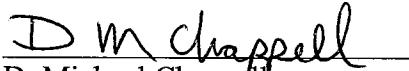
of achieving or obtaining monopoly power.” *Spectrum Sports, Inc. v. McQuillan*, 506 U.S. 447, 456 (1993).

Trial in this matter commenced on September 4, 2012. On October 18, 2012, Complaint

III.

Accordingly, Respondent's Motion is DENIED.

ORDERED:


D. Michael Chappell
Chief Administrative Law Judge

Date: November 7, 2012