

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

| | | |
|----------------------------------|---|-----------------|
| In the Matter of |) | |
| |) | |
| UNION OIL COMPANY OF CALIFORNIA, |) | Docket No. 9305 |
| |) | |
| a corporation. |) | |
| |) | |

**NON-PARTY REFINERS' UNOPPOSED MOTION FOR EXTENSION OF TIME
TO MOVE FOR *IN CAMERA* TREATMENT OF ADDITIONAL HEARING EXHIBITS
DESIGNATED BY UNION OIL COMPANY OF CALIFORNIA**

Non-parties BP West Coast Products LLC, Equilon Enterprises LLC d/b/a Shell Oil Products (US), Exxon Mobil Corporation, Motiva Enterprises LLC, and Shell Oil Company (collectively, "the non-party refiners") file this motion to extend the time permitted for them to move for *in camera* treatment of the additional documents that Union Oil Company of California ("Unocal") has designated for possible introduction at the hearing in the above-referenced matter.

According to the Court's October 14, 2003, Order, the current deadline for non-party refiners to move for *in camera* treatment of the over 1,000 documents that Unocal previously designated for introduction at the hearing is October 17, 2003. However, counsel for Unocal provided notice of additional documents that it may introduce at the hearing by letter dated October 14, 2003. The attachments to that letter list 52 trial exhibits that all bear a confidentiality designation. Employees of the non-party refiners, in consultation with undersigned counsel, are in the process of examining the 52 additional documents designated by Unocal on October 14, 2003. We will soon be in a position to enter into discussions with counsel

for Unocal for the purpose of reaching agreement, to the greatest extent possible, on issues of *in camera* treatment for these materials.

In view of the timing of Unocal's additional designations, the fact that much of the material pertains to the operations of the non-party refiners (much of which contains potentially business sensitive information) and the need for careful scrutiny to minimize the number of documents for which *in camera* treatment is sought, additional time will be required to complete this process. The non-party refiners therefore request an extension of seven days, to and including October 24, 2003, of the deadline for any motion for *in camera* treatment of documents designated by Unocal on October 14, 2003, for possible introduction at the hearing.

We have discussed this request in telephone conversations with counsel for Unocal and for the FTC, who have indicated that they do not oppose this extension request.

DATED: October 16, 2003

Respectfully submitted,

Donald B. Craven
AKIN GUMP STRAUSS HAUER &
FELD, LLP
1333 New Hampshire Ave., NW
Washington, DC 20036

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**[PROPOSED] ORDER MODIFYING SCHEDULING ORDER DEADLINE
FOR THE FILING OF MOTIONS SEEKING IN CAMERA TREATMENT**

Upon consideration of the Non-Party Refiners' Unopposed Motion For Extension Of Time To Move For *In Camera* Treatment Of Hearing Exhibits Designated By Union Oil Company Of California, it is hereby ordered that the movants shall be given until October 24, 2003, to file a motion seeking *in camera* treatment of documents identified in Unocal's October 14, 2003, list.

The Honorable D. Michael Chappell
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that on October 16, 2003, I caused an original and two copies of the Non-Party Refiners' Unopposed Motion For Extension Of Time To Move For In Camera Treatment Of Hearing Exhibits Designated By Union Oil Company Of California to be filed by hand and one electronic copy of that motion to be filed by electronic mail with:

Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW, Rm. H-159
Washington, DC 20580

I also certify that on October 16, 2003, I caused two copies of the foregoing motion to be served by U.S. mail upon:

The Honorable D. Michael Chappell
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

I also certify that on October 16, 2003, I caused one copy of the foregoing motion to be served by hand delivery upon each person listed below:

J. Robert Robertson, Esq.
Senior Litigation Counsel
Bureau of Competition
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Richard B. Dagen, Esq.
(through service upon)
Chong S. Park, Esq.
Bureau of Competition
Federal Trade Commission
601 New Jersey Avenue, NW, Rm. NJ-6213
Washington, DC 20001

I also certify that on October 16, 2003, I also caused one copy of the foregoing motion to be served by U.S. mail upon:

David W. Beehler, Esq.
Robins, Kaplan, Miller & Ciresi, LLP
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015

Jeffrey P. Kehne