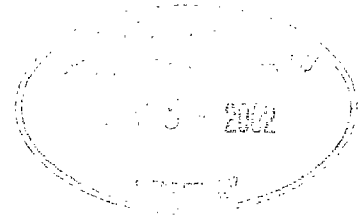


UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION



In the Matter of
CHICAGO BRIDGE & IRON COMPANY N.V.,
a foreign corporation,
CHICAGO BRIDGE & IRON COMPANY,
a corporation,
and
PITT-DES-MOINES, INC.,
a corporation.

Docket No. 9300

**ORDER GRANTING RESPONDENTS' RENEWED MOTION
FOR *IN CAMERA* TREATMENT OF CERTAIN EXHIBITS**

Pursuant to Commission Rule 3.45(b) and the November 5, 2002 Order on Respondents' Motions for *In Camera* Treatment, Respondents, on November 15, 2002, filed a renewed motion for *in camera* treatment of certain materials that the parties have listed on their exhibit lists as materials that might be introduced at trial in this matter. On November 25, 2002, Respondents filed a supplement to their renewed motion. The November 15, 2002 motion and the November 25, 2002 Supplement significantly narrow the number of documents for which Respondents seek *in camera* treatment and significantly narrow the number of documents for which Respondents seek indefinite *in camera* treatment. Further, where appropriate, Respondents have narrowed their request to specific page numbers containing confidential information rather than seeking *in camera* treatment for entire documents. Complaint Counsel do not oppose Respondents' motion, as modified by the November 25, 2002 Supplement.

The November 5, 2002 Order set forth the standards by which Respondents' renewed motion for *in camera* treatment is evaluated. As described by the declarations of the Chief

Engineer for Chicago Bridge & Iron (“CBI”), the Assistant General Counsel for CB&I, and the Vice President of Sales for North America for CB&I, the documents for which *in camera* treatment is sought contain competitively sensitive and confidential information, the disclosure of which would cause the loss of business advantage and serious and irreparable injury to Respondents. Respondents have demonstrated that public disclosure of the documents would result in clearly defined, serious injury. Accordingly, Respondents’ November 15, 2002 motion for *in camera* treatment, as modified by the November 25, 2002 Supplement, is GRANTED.

1. The following documents, or portions thereof, will be given *in camera* treatment:

Exhibits	Pages
CX 26	(All) 2/7/01 Ltr. w/CBI PL69530-41
36	All
43	CBI 33830-ATL - CBI 33847-ATL
48	CBI 34346-84 ATL
130	(All) CBI 04440-HOU - 4474
135	CBI 009268-HOU
143	015711-015742
168	CBI-PL 007234-43
169	CBI-PL007554-83
176	CBI-PL 10922-28
208	(All) CBI-PL 31513-15
213	CBI-PL 33035-97
217	CBI-PL034407; 09-11; 13-15; 17-19; 21-27; 29-31; 33-35; 38-47; 49-66; 66-75; 78; 82; 87-94; 497-500; 502-504
219	PL 036255-57
225	CBI-PL043498; 500-501; 505-513; 521-527; 529-531; 533; 535-538; 540; 542; 544; 546; 548-551; 553; 555-557; 559-560; 562-564; 566-572; 574; 576; 581-591; 594-604; 607-614; 617-646; 650-653; 666-669; 691-692; 693; 695-701; 703; 705; 707; 709-714; 716-730; 732-734; 736; 738; 740; 742; 744-746; 748; 754; 759-772; 774-777; 779-782; 784-795; 797-802; 804-08; 810-811; 813
226	CBI-PL 044978-80
242	CBI-PL 4003340-44
247	CBI-PL 016229-42
308	CBI/PDM-H 4000782-83
323	CBI 034482-85-ATL
326	CBI 34623-32-ATL
363	CBI 26825-29-HOU
364	All CBI-E 9279-82
418	CBI 26805-09 HOU
420	CBI 26812; 13; 15-HOU

Exhibits	Pages
422	CBI-E 9500
423	CBI-E 9509; 9510
449	CBI-E 7401-02
454	CBI-E 007250-51
455	CBI-E 007334-35
456	CBI-E 7270-74
458	CBI 3702-HOU - CBI 3744-HOU
500	CBI-H 8200-32
539	CBI/PDM-H 4019267-68
553	All
613	CBI-PL 10924-28
627	CBI-H006778; 788-791; 793-798; 801-805; 807-813; 816-824; 826; 828-834; 837; 840-45; 847-853; 855-856; 858-864; 866-872; 874-875; 877-880; 883-885; 887-893; 895-896; 898-904; 906-907; 910; 912; 914-915; 918-921; 923-924; 926-932; 934-938; 939-940
629	CBI-PL033035-048; 050-061; 063-092; 094-095; 097
642	CBI-PL047419-25; 27
722	CBI 36325-CAN - CBI 36329-CAN
727	CBI 35435-CAN - CBI 35442-CAN
729	CBI 37832-31-PLA - CBI 37835-PLA
741	CBI-PL04123-11
758	CBI-PL 31546-49; 31554-59
771	CBI-PL011704
777	CBI-PL044250-254; 256-259; 263-269; 271-280; 282-286; 288-297; 301-304; 306-309; 310-318; 320-330; 335-342; 344; 346; 348-352; 354-356; 359-362; 364-368; 372-380; 382-387; 389-392; 395-399; 400-405; 409-414; 416; 418-421; 423-426; 429-432; 434-437; 441-447; 449; 451-454; 456-459; 462-465; 467-468; 470-476; 480; 482-486; 490-493; 495-498; 501-504; 506-510; 514; 518-529; 531-538; 540-551; 553; 557-561; 563-568; 569; 571-576; 578-581; 584-586; 588-592; 596-602; 604; 606-608; 610-12; 615-617; 619-623; 627-632; 634; 636-639; 641-644; 647-650; 652-656
779	CBI -63966-73
781	CBI 064152-65
783	(All) CBI 64606-610
784	(All) CBI 64892-93
787	CBI 65241-46
788	CBI 025347-HOU - CBI 025351-HOU
789	CBI 026945-HOU - CBI 026948-HOU
790	CBI 25365-HOU; CBI 25367-74
796	CBI 24944-HOU - CBI 24950-HOU
817	Interrogatories 1,4,7,8
818	1,4,5,6, 7(b), 9, VI
822	page 3-14
834	CBI-E 013673
837	CBI-E 9500; CBI-E 9501
838	CBI-E 009442
839	CBI-E 24742-64

Exhibits	Pages
848	CBI-E 9331-36
888	CBI 069749-50
890	CBI 069830-33
857	PDM-HOU 19506-19526
865	CBI/PDM-H 4015168-70; 72
886	CBI 070420-22
902	CBI 30408-12-HOU; 30418-19
905	CBI 31081-HOU; 31088
906	CBI 31073-80-HOU
908	CBI 31053-HOU - CBI 31060-HOU; CBI 31062-63 - HOU; CBI 31065-68
909	CBI 31046-52-HOU
921	CBI 3607-17-HOU
929	CBI 001734; 001735; 001737-42; 1746-58; 1761-62; 1767-75; 1777-80; 1782-83; 1786-88; 1790-96; 1799-801; 1803; 1805-11; 1813-21
930	CBI 31184-HOU - CBI 31203-HOU
932	CB1031136-HOU - CBI 031137-HOU
937	CBI-PL 68386-407
939	CBI-PL 59897-98; 900; 901; 903-06; 908-09
949	CBI-PL 041125-041131; 041135-45; 041147-54; 041157-65; 041167-73; 041175-92; 041194-200; 0411203-11; 0411213-35; 041127-32; 041134-50; 041152; 041154-59; 041161; 041163; 041165; 041166-71; 041173; 041175-76; 041180
954	CBI 1002095-106
963	CBI-PL 059381; 05383-97
964	CBI-PL 059407-16; 059418-28
966	CBI-PL 001627; 001629-47; 001652
986	PDM-HOU015543
1015	CBI-E 000154-55
1017	CBI-E 018361-62
1020	CBI-E 018309-12
1066	CBI-033727-ATL; 033750; 033753-59; 033762-63; 033766-67
1019	
1109	CBI-HWH 041298-300; 041321; 041323-324
1076	CBI 001149-PLA - 001160
1090	CBI-H 4002688-91
1109	CBI-HWH 041298-345
1112	CBI-HWH 035504-16
1117	CBI-HWH 036537-62
1118	CBI-HWH 036576-88
1125	CBI-HWH 035517-536
1126	CBI-HWH 054146-73
1127	CBI-HWH 052170-052249
1128	CBI-HWH 049185-91
1159	CBI/PDM-H 4001592-94
1160	CBI/PDM-H 4007485-86
1161	CBI/PDM-H 4008121-33
1162	CBI-ATL 000937-39; 41-49; 51-53; 55-58
1163	CBI-H001108-20

Exhibits	Pages
1173	CBI-PL007554-69
1182	CBI-PL025260-5310
1184	CBI-PL033873-79; 882-92
1188	CBI-PL 059360; 62-66; 68-70; 72-79
1202	PDM-HOU1005332-48
1210	no bates #s
1212	no bates #s
1218	CBI-PL014282-88
1226	CBI-HWH 018200-28
1234	CBI-HWH 017191-93; 96; 201-11; 13-15
1256	CBI-HWH 007881-88
1277	CBI 031108-13
1279	CBI 031102-HOU - CBI 031106-HOU
1280	CBI 031095-HOU - CBI 031097-HOU
1281	CBI 031039-HOU - CBI 031345-HOU
1282	CBI 031020-HOU - CBI 031029-HOU
1286	CBI 030571-72-HOU - CBI 030578-HOU
1291	CBI 002812-HOU - CBI 002822-HOU
1292	CBI 002873-HOU - CBI 002917-HOU
1294	CBI 002943-HOU - CBI 002960-HOU
1295	CBI 002273-HOU - CBI 002978-HOU; 002980-85
1296	CBI 002927-HOU - CBI 002930-HOU
1302	CBI 031986-HOU - CBI 031992
1305	CBI 030191-HOU - CBI 030214-HOU
1306	CBI 030550-HOU - CBI 030563-HOU
1310	CBI-E 007398 - 007400
1318	CBI-PL 030367-68
1321	CBI-PL069518-29
1323	pp. 4-157
1346	CBI-H007373-82
1353	CBI/PDM-H 4000514-522
1402	CBI-H001884-88
1406	All
1425	CBI/PDM-H 4007465-66
1432	CBI-HOU 7062-63; 65-67; 69-71; 70-77; 7120
1433	CBI-PL 1000048-64
1422	CBI-PL024707-15
1433	CBI-PL003792-94; 806
1473	CBI/PDM-H 4000422-437
1478	CBI 010191-HOU - CBI 010211-HOU
1486	CBI 059970-78; 80-81
1487	CBI-059991-92
1488	CBI-059894-902
1490	CBI 060050
1493	CBI 060356-57
1494	CBI 060361-64

Exhibits	Pages
1495	CBI 060365-66
1501	CBI 060496-504
1504	CBI 060833-34
1505	CBI 059412-45
1508	CBI 059645-57
1512	CBI 059330; 32-40; 52
1513	CBI 059383-88; 74
1515	CBI 060181-96
1522	CBI 059609-13
1523	CBI 059615-16
1535	CBI-E 000097-98
1558	CBI 002944-HOU; 002946-60
RX 15	CBI 026825-HOU - CBI 026826; 28-29
16	CBI-E 009279-82
52	CBI 026805-HOU - CBI 1026809-HOU
53	CBI 026810
54	CBI 026812-HOU - CBI 026815-HOU
56	CBI-E 009500-01
57	CBI-E 009509-510
62	CBI-E 009331-36
64	CBI 0260-67
67	CBI-PL055260; 055262-65
91	CBI-E 007391
92	CBI-E 007401-402; 406-411
93	PDM-CH 002720; 23-25
95	CBI-E 008095-96; 8010-16
98	CBI-E 007334-35
99	CBI-E 007270-74
100	CBI-E 008100; 03-05
147	CBI 069607
148	CBI 069749
150	CBI 069830-33
207	CBI 071383
216	CBI-E 011399-402
217	CBI-E 011566-74
224	All
230	CBI-E 018365-68
231	CBI-E 018378-81
233	CBI-E 021801-13
241	CBI-E 014172-73
264	CBI-E 024510-15
273	CBI-E 005528
284	
287	CBI-E 020549-52; 58-59
292	CBI 046602-NEW - CBI 046603-NEW
302	CBI 037080-PLA - CBI 037090-PLA

Exhibits	Pages
304	CBI 025293-HOU
312	CBI 5509-5529; 5532-35; 5537-49
313	CBI 005551-59; 005562-71; 005573-606
319	CBI 007863-HOU; CBI 007866-HOU
320	CBI 007867-HOU - CBI 007868-HOU
322	CBI 007916-HOU - CBI 007921-HOU; CBI 007923-HOU
392	CBI 065704; 729-45
393	CBI 065753; 755-92; 794-826
394	CBI 065833-36
395	CBI 065865; 867-913
397	CBI 06517-83
400	CBI 066119-53; 55-58
403	CBI 066292-93
404	CBI 066294-301
406	CBI 066337-39
408	CBI 066695-729
409	CBI 066955-57; 60-70; 72-75
410	CBI 067063 - 67
414	CBI 067249-55
415	CBI 067325-41; 56-61
424	CBI 001150-PLA - CBI 001160-PLA
593	CBI 060751-823
594	CBI 060833-34
595	CBI 060846-50; 52-54
598	CBI 059309; 312-320
599	CBI 059389-97
601	CBI 059374-82; 059386-88
612	CBI 060197; 199-208; 210
614	CBI 060403
615	CBI 060496-501; 503-04
616	CBI 060000; 02-08
618	CBI 061750-59
620	CBI 061888-905; 908-910
621	CBI 062003-08
622	CBI 062126-27
627	CBI 063050-51
628	CBI 063379-90; 94-96; 98-408
631	CBI 067590-602
633	CBI 068248-49
639	CBI 069093-122
640	CBI 069126-27
642	All
643	CBI 069172-9203
644	CBI 069204-214
645	CBI 69322-324
732	CBI 071499-513

2. The following documents relating to one specific “secret project,” all of which are listed in the above chart, will be given indefinite *in camera* treatment: RX 216, RX 233, RX 414, RX 424, and RX 631.

3. The following documents, all of which are listed in the above chart, will be given *in camera* treatment for a period of ten (10) years, to expire December 1, 2012:

a. Pricing

- (1) Estimating methodologies: CX 1294.
- (2) Memphis, Light, Water, and Gas projects: CX 43; CX 48; CX 323; CX 326; CX 422; CX 423; CX 837; CX 906; CX 1109; CX 1117; CX 1118; RX 56; RX 57; and RX 732.
- (3) Yankee Gas: CX 363; CX 418; CX 420; CX 838; RX 15; RX 52; RX 53; and RX 54.
- (4) PG&E: CX 1512; CX 1513; RX 397; RX 599; RX 601; RX 618; RX 621.
- (5) Cove Point/Pine Needle: CX 226; CX 500; CX 539; CX 796; CX 865; CX 886; CX 908; CX 1112; CX 1160; CX 1281; CX 1425; CX 1429; CX 1515; CX 1125; and RX 612.
- (6) BP: CX 1017; CX 1020; CX 1501; RX 414; X 424; RX 633; RX 643; and RX 644.
- (7) CMS (Lake Charles): CX 905; CX 1279; CX 1286; CX 1504; RX 593; RX 594; and RX 595.
- (8) Other Domestic LNG Projects: CX 168; CX 176; CX 613; CX 779; CX 790; CX 865; CX 1131; CX 1188; CX 1478; CX 1508; RX 403; RX 404; RX 406; RX 409; RX 415; RX 620; RX 622; RX 639; and RX 640.


- (9) International LNG projects: CX 727; CX 783; CX 784; CX 909; CX 930; CX 939; CX 964; CX 1090; CX 1126; CX 1128; RX 147; RX 319; RX 322; and RX 615.
- b. Thermal vacuum chambers: CX 729; CX 1127; CX 1162; RX 302; and RX 616.
- c. Additional pricing information: CX 26; CX 817; CX 818; CX 822; CX 824; CX 932; CX 937; CX 1210; CX 1212; CX 1161; CX 1182; CX 1277; CX 1280; CX 1282; CX 1291; CX 1292; CX 1305; CX 1306; CX 1321; RX 217; RX 297; and RX 410.
- d. CB&I's best practices: CX 36; CX 553; CX 1019; CX 1406; RX 224; RX 228; RX 284; and RX 642.
- e. Corporate strategy documents: CX 130; CX 143; CX 213; CX 217; CX 225; CX 434; CX 577; CX 627; CX 629; CX 642; CX 741; CX 758; CX 777; CX 839; CX 857; CX 902; CX 929; CX 949; CX 1066; CX 1226; CX 1234; CX 1323; CX 1353; CX 1402; CX 1432; RX 67; RX 312; and RX 313.

4. The following documents, all of which are listed in the above chart, will be given *in camera* treatment for a period of three (3) years, to expire December 1, 2005:

- a. Certain pricing documents relating to LIN/LOX jobs: CX 219; CX 247; CX 449; CX 456; CX 458; CX 771; CX 986; CX 1008; CX 1166; CX 1486; CX 1488; CX 1522; CX 1523; RX 91; RX 92; RX 93; RX 95; RX 98; RX 99; RX 100; RX 209; RX 273; RX 292; RX 293; RX 392; RX 393; RX 394; RX 395; RX 400; RX 408; RX 598; RX 627; RX 628; and RX 645.
- b. Certain pricing documents relating to LPG jobs: CX 963; CX 966; CX 1310; and CX 1473.

- c. Certain information regarding customer information: CX 954.
- d. Certain sales strategy documents: CX 130; CX 135; CX 169; CX 208; CX 242; CX 308; CX 364; CX 454; CX 455; CX 758; CX 781; CX 787; CX 788; CX 789; CX 834; CX 848; CX 888; CX 890; CX 921; CX 1159; CX 1163; CX 1173; CX 1202; CX 1218; CX 1295; CX 1296; CX 1346; CX 1353; CX 1433; CX 1442; CX 1477; CX 1490; CX 1493; CX 1494; CX 1495; CX 1505; CX 1535; CX 1542; RX 16; RX 62; RX 64; RX 148; RX 150; RX 207; RX 216; RX 230; RX 231; RX 241; RX 264; RX 287; RX 304; RX 320; RX 602; and RX 614.

ORDERED:


D. Michael Chappell
Administrative Law Judge

Date: December 3, 2002