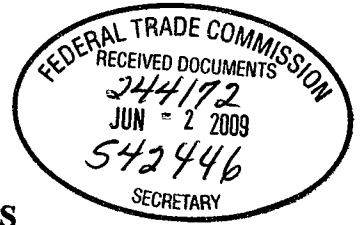


ORIGINAL



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES

\_\_\_\_\_  
In the Matter of \_\_\_\_\_ )  
 )  
Polypore International, Inc., )  
a corporation. )  
\_\_\_\_\_ )

Docket No. 9327  
  
PUBLIC

**NON-PARTY JOHNSON CONTROLS, INC.'S SECOND MOTION FOR *IN CAMERA* TREATMENT PURSUANT TO FTC RULE 3.45**

Non-Party Johnson Controls, Inc., by and through its undersigned counsel and pursuant to FTC Rule 3.45, hereby moves for *in camera* treatment of the document produced by Johnson Controls, Inc. in this matter, labeled as Respondent's Exhibit R-41. A copy of Respondent's Exhibit R-41 is attached to the Declaration of Rodger M. Hall. As explained more fully below, this document is entitled to *in camera* treatment pursuant to FTC Rule 3.45 because it contains confidential business strategy and data so that public disclosure of this information would result in serious competitive injury to JCI. Both Complaint Counsel and Respondent's Counsel have stated that they have no objection to the document being given *in camera* treatment. The testimony concerning this document was conducted *in camera* on May 28, 2009.

**BACKGROUND**

**REDACTED**

**REDACTED**

**REDACTED**

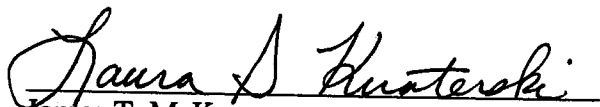
**REDACTED**

**CONCLUSION**

For the foregoing reasons and for the reasons set forth in the declaration of Mr. Rodger M. Hall filed concurrently with this Motion, Johnson Controls, Inc. respectfully requests that the document labeled at Respondent's Exhibit R-41 receive *in camera* treatment for a period of five (5) years.

Dated: May 29, 2009

Respectfully submitted,



James T. McKeown  
Laura S. Kwaterski  
Counsel for Johnson Controls, Inc.  
FOLEY & LARDNER LLP  
777 E. Wisconsin Avenue  
Milwaukee, WI 53202  
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jmckeown@foley.com

**UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
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\_\_\_\_\_  
In the Matter of )  
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Polypore International, Inc., )  
a corporation. )  
\_\_\_\_\_ )

Docket No. 9327

**CERTIFICATE OF SERVICE**

I hereby certify that on June 1, 2009, I caused to be served via Overnight Courier a true copy of the foregoing Non-Party Johnson Controls, Inc.'s Second Motion for In Camera Treatment of Respondent's Pursuant to FTC Rule 3.45 (Confidential Version) in the following manner:

I am familiar with the office practice of Foley & Lardner LLP for collecting and processing documents for overnight mail delivery by overnight courier or other express service carrier. Under that practice, documents are deposited with the Foley & Lardner LLP personnel responsible for depositing documents in a post office, mailbox, subpost office, substation, mail chute, or other like facility regularly maintained for receipt of overnight mail by overnight courier or other express service carrier; such documents are delivered for overnight mail delivery by overnight courier or other express service carrier on that same day in the ordinary course of business, with delivery fees thereon fully prepaid and/or provided for. I caused to be deposited in Foley & Lardner LLP's interoffice mail sealed envelopes or packages containing the above-described documents and addressed as set forth below in accordance with the office practices of Foley & Lardner LLP for collecting and processing documents for overnight mail delivery by overnight courier or other express service carrier:

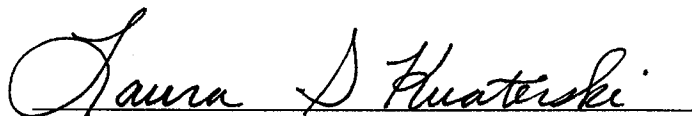
The Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, D.C. 20580-0002  
(1 copy)

Steven A. Dahm  
Federal Trade Commission  
601 New Jersey Avenue, NW  
Washington, D.C. 20001-2018  
(1 copy)

Eric D. Welsh  
William L. Rikard, Jr.  
Parker Poe Adams & Bernstein LLP  
401 South Tryon Street  
Charlotte NC 28202  
(1 copy)

J. Robert Robertson  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, D.C. 20580-0002  
(1 copy)

Donald S. Clark, Secretary  
Office of the Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20580-0002  
*(original and 3 copies)*

  
Laura S. Kwaterski

**UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of	)	
	)	
Polypore International, Inc.	)	Docket No. 9327
a corporation.	)	
	)	<b>PUBLIC</b>

**DECLARATION OF RODGER M. HALL**

RODGER M. HALL hereby declares as follows:

1. I am currently employed by Johnson Controls, Inc. (JCI) as the Vice President Lead Business for the Power Solutions Division. I make this Declaration based upon my own personal knowledge and based on my review of the issues pertinent to this request for *in camera* treatment. I make this Declaration in connection with Non-Party Johnson Controls, Inc.'s Motion for *In Camera* Treatment of Respondent's Exhibit R 41. A copy of Exhibit R-41 is attached.
  
2. I have reviewed Exhibit R 41 for which JCI seeks *in camera* treatment. I am familiar with the type of information contained in this document. I am also generally familiar with the confidentiality protection afforded this type of information by JCI. Based upon my review of this documents, my knowledge of JCI's business, and my familiarity with the confidentiality protection that JCI affords information of this type, it is my belief that the public disclosure of this document's information would cause serious competitive injury to JCI.

REDACTED

I declare under penalty of perjury under the laws of the United States of America  
that the foregoing is true and correct.

Executed this 29 day of May, 2009.

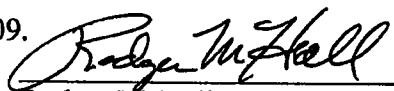
  
\_\_\_\_\_  
Rodger M. Hall



EXHIBIT R 41  
1-27-09 RB

**REDACTED**

HIGHLY CONFIDENTIAL

RX00041-001

JCI001111

**REDACTED**

HIGHLY CONFIDENTIAL

RX00041-002

JCI001112

**REDACTED**

HIGHLY CONFIDENTIAL

RX00041- 003

JCI001113

**REDACTED**

HIGHLY CONFIDENTIAL

RX00041-004

JCI001114

**REDACTED**

HIGHLY CONFIDENTIAL

RX00041-005

JCI001115

**REDACTED**

HIGHLY CONFIDENTIAL

RX00041-006

JCI001116

**UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

\_\_\_\_\_  
In the Matter of )  
)  
)

Polypore International, Inc., )  
a corporation. )  
\_\_\_\_\_ )

Docket No. 9327

**PUBLIC DOCUMENT**

**PROPOSED ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2009, upon consideration of Non-Party Johnson Controls, Inc.'s Second Motion for In Camera Treatment Pursuant to FTC Rule 3.45, it is hereby ORDERED that Non-Party Johnson Controls, Inc.'s Motion is GRANTED and Respondent's Exhibit R-41 shall receive *in camera* treatment for a period of five (5) years.

IT IS SO ORDERED.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
D. Michael Chappell  
Administrative Law Judge