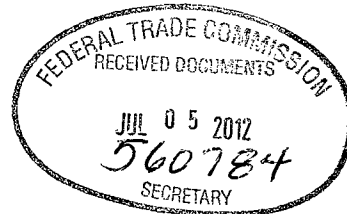


ORIGINAL



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

In the Matter of

McWANE, INC.,  
a corporation.

PUBLIC

Docket No. 9351

RESPONSE OF STAR PIPE PRODUCTS, LTD. TO  
COMPLAINT COUNSEL'S MOTION TO EXCLUDE EVIDENCE RELATING TO  
ADVICE RELATED TO DIFRA AND ITS OPERATIONS, OR IN THE ALTERNATIVE,  
TO COMPEL RELATED DISCOVERY

1. Star Pipe Products, Ltd. ("Star") responds to the motion filed by Complaint Counsel requesting the Administrative Law Judge "to exclude evidence relating to advice related to DIFRA and its operations, or in the alternative, to compel related discovery."
2. Star is no longer a party to this proceeding and takes no position as to Complaint Counsel's request to exclude evidence.
3. As to Complaint Counsel's request to reopen discovery, Star is unable to respond because Complaint Counsel has not identified any specific discovery they seek against Star. Star accordingly reserves any rights to object it may have until such time as Complaint Counsel identify a specific request to Star, and Star objects to any ruling to the extent the ruling would require Star to provide additional discovery without having the opportunity to object to any specific requests and/or respond to whatever specific arguments Complaint Counsel may choose to make as to Star's objections.

Dated: July 5, 2012

Respectfully submitted,

/s/ Gregory S. C. Huffman

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*Attorneys for Star Pipe Products, Ltd.*

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

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

McWANE, INC., )  
a corporation. )  
)  
\_\_\_\_\_ )

PUBLIC

DOCKET NO. 9351

**ORDER REGARDING ALTERNATE RELIEF REQUESTED BY COMPLAINT  
COUNSEL IN MOTION TO EXCLUDE EVIDENCE**

Complaint Counsel has filed a Motion to Exclude Evidence Relating to Advice Related to DIFRA and Its Operations, or in the Alternative, to Compel Related Discovery, in which for alternate relief Complaint Counsel request that the undersigned “compel the production of any DIFRA related documents that have been withheld on the basis of privilege and permit Complaint Counsel to re-depose DIFRA’s counsel and its Members related to the substance of that advice.” Star Pipe Products, Ltd. (“Star”) has filed a response to Complaint Counsel’s motion, in which Star takes no position on the issue of excluding evidence but does note that Complaint Counsel have not identified any specific discovery sought against Star. Finding that Star’s response is well-taken, it is ORDERED that Complaint Counsel’s request for alternate relief is denied as to Star.

ORDERED:

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

Date: \_\_\_\_\_

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

In the Matter of

**McWANE, INC.**,  
a corporation.

**PUBLIC**

**Docket No. 9351**

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**Certificate of Service and Regarding Electronic Submission**

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I certify that on July 5, 2012, I submitted the "Response of Star Pipe Products, Ltd. to Complaint Counsel's Motion to Exclude Evidence Relating to Advice Related to DIFRA and Its Operations, or in the Alternative, to Compel Related Discovery" along with a proposed order, electronically in PDF format using the FTC's E-Filing System, and also served a copy of the foregoing document on the following by the method indicated:

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I also certify that the electronic PDF copy of the foregoing document sent to the Secretary of the Commission via the FTC E-Filing System is a true and correct copy of the original in my possession, which is available for review by the parties and the adjudicator.

/s/ Brian W. Stoltz  
Brian W. Stoltz