

**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' MOTION FOR LEAVE
TO FILE OUT OF TIME**

Non-parties BP America Inc., Chevron U.S.A., Inc., Equilon Enterprises LLC d/b/a Shell Oil Products (US), ExxonMobil Corporation, Motiva Enterprises LLC, and Shell Oil Company (collectively, “the non-party refiners”) file this motion for leave to file one business day out of time. Despite counsel’s best efforts, the non-party refiners were unable to meet the October 17, 2003 deadline to file their respective motions for *in camera* treatment of documents and deposition excerpts that Union Oil Company of California (“Unocal”) has designated for possible introduction at the hearing in the above-referenced matter. The logistics of preparing the paper and electronic filings of all these motions proved more daunting than anticipated, and the filing packages were not fully assembled by the 5:00 p.m. filing deadline on October 17. The non-party refiners do not believe that any prejudice will result to any party from this very brief delay.

We have conferred with counsel for Unocal about this Motion, and they do not oppose this Motion.

DATED: October 20, 2003

Respectfully submitted,

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

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

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[PROPOSED] ORDER

Upon consideration of the Non-Party Refiners’ Unopposed Motion For Leave To File Out Of Time, **IT IS HEREBY ORDERED** that the movants shall be given until October 20, 2003 to file their respective motions for *in camera* treatment of documents and deposition excerpts that Union Oil Company of California (“Unocal”) has designated for possible introduction at the hearing in the above-referenced matter.

The Honorable D. Michael Chappell
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that on October 20, 2003, I caused an original and two copies of the Non-Party Refiners' Unopposed Motion For Leave To File Out Of Time 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 20, 2003, I caused two copies of the foregoing motion to be served by hand delivery and 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 20, 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

Joel A. Christie
AKIN GUMP STRAUSS HAUER
& FELD, LLP
1333 New Hampshire Ave., NW
Washington, DC 20036

I also certify that on October 20, 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

With a facsimile copy to:

Diane L. Simerson, Esq.
Robins, Kaplan, Miller & Ciresi, LLP
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015

Joel A. Christie
AKIN GUMP STRAUSS HAUER
& FELD, LLP
1333 New Hampshire Ave., NW
Washington, DC 20036

COPY CERTIFICATION

I certify that the electronic version of NON-PARTY REFINERS' MOTION FOR LEAVE TO FILE OUT OF TIME filed by electronic mail with the Secretary of the Commission is a true and accurate copy of the paper original and that a paper copy with original signature has been filed with the Secretary of the Commission on this day.

Dated October 20, 2003

By: _____
Joel A. Christie
AKIN GUMP STRAUSS HAUER
& FELD, LLP
1333 New Hampshire Ave., NW
Washington, DC 20036