

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



In the Matter of)
)
)

UNION OIL COMPANY OF)
CALIFORNIA,)
Respondent.)
_____)

DOCKET NO. 9305

**ORDER GRANTING JOINT REQUEST FOR *IN CAMERA*
TREATMENT AND ADMISSION OF JX 3A**

I.

On March 7, 2005, Complaint Counsel and Respondent (“the parties”) filed a joint stipulation (“Joint Stipulation”), through which the parties seek *in camera* treatment for exhibits that were introduced at trial, and, with the exception of JX 3, had been treated as *in camera* exhibits at trial. As set forth below, the parties’ joint request is GRANTED.

II.

The exhibits for which *in camera* treatment is sought all contain information that was derived from other exhibits for which *in camera* status had previously been granted through prior orders. The Order on Non-parties’ Motions for *In Camera* Treatment, issued on October 7, 2004, sets forth the standard by which requests for *in camera* treatment are evaluated. The *in camera* version of the documents listed in the parties’ Joint Stipulation contains information including, but not limited to, licensing agreements and batch data. Respondent and the non-parties, from whom the information was derived, have previously demonstrated, through affidavits or declarations, that the information for which *in camera* treatment was granted contains confidential information and that the disclosure of such information could cause real and serious damage to the competitive positions of Respondent and of the non-parties.

The exhibits for which *in camera* treatment is sought are: certain expert reports; CX 436; and JX 3, the parties’ Joint Stipulation of Law and Fact. With respect to the expert reports and CX 436, these exhibits were treated as *in camera* when discussed at trial. Public versions of these exhibits, with *in camera* information redacted, have previously been admitted under the same exhibit number as its corresponding *in camera* version, but with an “A” designator. With respect to JX 3, when it was offered into evidence, the confidential information contained therein was not revealed in the public transcript and no statement about its confidential status was made. The parties have prepared a redacted version, which they jointly offer as JX 3A.

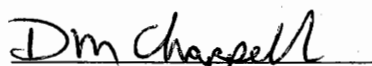
The parties' request for admission of JX 3A, a public version of JX 3, is GRANTED. The parties' request for *in camera* treatment is GRANTED. *In camera* treatment, for a period to expire December 31, 2014, is granted to the following documents:

Exhibit Number	Description
CX 436	Unocal document titled "Current Status of RFG"
CX 1720	Shapiro Expert Report
CX 1797	Sarna Rebuttal Report
CX 1798	Eskew Rebuttal Report
CX 1799	Shapiro Rebuttal Report
RX 1154	Sarna Expert Report
RX 1162	Teece Expert Report
RX 1164	Griffin Expert Report
RX 1165	Stellman Expert Report
JX 3	Joint Stipulation of Law and Fact

The parties are directed to provide an *in camera* version and a public version of all exhibits granted *in camera* treatment by this Order to the court reporter for appropriate handling.

The parties shall notify and provide a copy of this Order to all entities who provided *in camera* information contained within the exhibits which are the subject of this Order. In addition, the parties shall file a letter with the Office of the Secretary within ten days demonstrating that such notice has been provided.

ORDERED:


D. Michael Chappell
Administrative Law Judge

Date: March 8, 2005