UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION

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In the Matter of)		1 ubiic
UNION OIL COMPANY OF CALIFORNIA,)	Docket No. 9305	
a corporation.)		
)		

NON-PARTY REFINERS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO MOVE FOR IN CAMERA TREATMENT OF HEARING EXHIBITS DESIGNATED BY UNION OIL COMPANY OF CALIFORNIA

Non-parties BP West Coast Products LLC, Chevron USA, Inc., Equilon Enterprises LLC d/b/a Shell Oil Products (US), Exxon Mobil Corporation, Motiva Enterprises LLC, and Shell Oil Company (collectively, "the non-party refiners") file this motion to extend the time permitted for them to move 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.

Counsel for Unocal provided notice of the documents and deposition excerpts that it may introduce at the hearing by letter dated September 26, 2003. The attachments to that letter list more than 1,000 trial exhibits, including more 300 that, in Unocal's judgment, are "most likely to contain information that is confidential to one or more" of the non-party refiners. In addition, Unocal has indicated that it also intends to introduce numerous excerpts from three depositions that were previously designated for confidential treatment under the Protective Order.

Under the terms of the April 9, 2003, Scheduling Order, as modified by the Order of August 5, 2003, the current deadline for non-party refiners to move for *in camera* treatment of materials designated for introduction at the hearing is October 10, 2003. Employees of the non-

party refiners, in consultation with undersigned counsel, are in the process of examining the

documents and deposition excerpts that Unocal has identified. We will soon be in a position to

enter into discussions with counsel for Unocal for the purpose of reaching agreement, to the

greatest extent possible, on issues of *in camera* treatment for these materials. In view of the

quantity of material that Unocal has designated that pertains to the operations of the non-party

refiners (much of which contains potentially business sensitive information) and the need for

careful scrutiny to minimize the number of documents for which in camera treatment is sought,

additional time will be required to complete this process. The non-party refiners therefore

request an extension of seven days, to and including October 17, 2003, of the deadline for any

motion for in camera treatment of documents designated by Unocal for possible introduction at

the hearing.

We have discussed this request in telephone conversations with counsel for Unocal and

for the FTC, who have indicated that they do not oppose this extension request.

DATED: October 9, 2003

Respectfully submitted,

Donald B. Craven AKIN GUMP STRAUSS HAUER &

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[PROPOSED] ORDER MODIFYING SCHEDULING ORDER DEADLINE FOR THE FILING OF MOTIONS SEEKING IN CAMERA TREATMENT

Upon consideration of the Non-Party Refiners' Unopposed Motion For Extension Of Time To Move For *In Camera* Treatment Of Hearing Exhibits Designated By Union Oil Company Of California, it is hereby ordered that the movants shall be given until October 17, 2003, to file a motion seeking *in* camera treatment of documents and deposition excerpts identified in Unocal's September 26, 2003, lists.

The Honorable D. Michael Chappell Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that on October 9, 2003, I caused an original and two copies of the Non-Party Refiners' Unopposed Motion For Extension Of Time To Move For In Camera Treatment Of Hearing Exhibits Designated By Union Oil Company Of California_non-party refiners' Unopposed Motion For Extension Of Time To Move To Quash Or Limit Subpoenas 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 9, 2003, I caused two copies of the foregoing motion to be served by 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 9, 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

I also certify that on October 9, 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

Jeffrey P. Kehne