

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

COMMISSIONERS: **Deborah Platt Majoras, Chairman**
 Pamela Jones Harbour
 Jon Leibowitz
 William E. Kovacic
 J. Thomas Rosch

In the Matter of)	
)	
Paul L. Foster,)	
an individual,)	
)	
Western Refining, Inc.,)	Docket No. 9323
a corporation,)	
)	
and)	
)	
Giant Industries, Inc.,)	
a corporation.)	

**ORDER WITHDRAWING MATTER FROM ADJUDICATION
PURSUANT TO RULE 3.26(c) OF THE COMMISSION RULES OF PRACTICE**

On June 5, 2007, counsel for all the Respondents in this proceeding filed a Motion to the Commission for Withdrawal of the Matter from Adjudication. Also on June 5, 2007, Complaint Counsel filed a Statement of Non-Opposition to Respondents' Motion, advising that Complaint Counsel do not oppose Respondents' Motion. Accordingly,

IT IS ORDERED, pursuant to Rule 3.26(c) of the Commission Rules of Practice, 16 C.F.R. § 3.26(c) (2007), that this matter in its entirety be and it hereby is withdrawn from adjudication, and that all proceedings before the Administrative Law Judge be and they hereby are stayed.

By the Commission.

Donald S. Clark
Secretary

SEAL:
ISSUED: June 7, 2007