Commissioner MacIntyre not concurring and Commissioner Higginbotham not participating.

ALHAMBRA MOTOR PARTS ET AL.

Docket 6889. Order, Jan. 17, 1963

Order reopening proceedings, 57 F.T.C. 1007, and remanding case to Hearing Examiner to comply with the Opinion of the Court of Appeals, Ninth Circuit, 309 F. 2d 213, 7 S.&D. 550.

The United States Court of Appeals for the Ninth Circuit having on October 9, 1962, issued its opinion and on November 15, 1962, entered its final decree affirming and enforcing in part and setting aside in part the Commission's order to cease and desist in this matter; and

The Court having remanded the cause to the Commission for further proceedings not inconsistent with the Court's opinion insofar as the Commission's order relates to the warehouse redistribution discount:

It is ordered, That this proceeding be, and it hereby is, reopened.

It is further ordered, That the matter be, and it hereby is, remanded to Chief Hearing Examiner Earl J. Kolb for such further proceedings as are necessary to comply fully with the opinion and decree of the Court, and that the Chief Hearing Examiner, upon completion of the hearings, issue a revised initial decision based upon the present record and such additional evidence as may be received.

OXWALL TOOL COMPANY, LTD., ET AL.

Docket 7491. Order, Jan. 18, 1963