

Order

IN THE MATTER OF

TELEBRANDS CORP.

ORDER

IT IS HEREBY ORDERED THAT Complaint Counsel's December 17, 2004 Motion for Leave to Substitute an Amended Version of Answering Brief and Cross Appeal Brief and Errata Sheet, as supplemented by Complaint Counsel's January 7, 2005 filing, is granted.

IN THE MATTER OF

CHICAGO BRIDGE & IRON COMPANY N.V.

**ORDER GRANTING CB&I'S MOTION FOR
CLARIFICATION; DENYING AS
MOOT CB&I'S MOTION FOR STAY; DIRECTING
FURTHER BRIEFING ON COMPLAINT COUNSEL'S
MOTION FOR CLARIFICATION; AND
DENYING AS MOOT CB&I'S REQUEST TO TOLL THE
TIME PERIOD
FOR FILING PETITION FOR REVIEW**

On February 1, 2005, Respondents Chicago Bridge & Iron Company N.V. and Chicago Bridge & Iron Company ("CB&I") filed a petition to reconsider the Commission's opinion and to modify the Commission's order, issued pursuant to Section 7 of the Clayton Act, 15 U.S.C. § 18, and Section 5 of the FTC Act, 15 U.S.C. § 45. CB&I also filed a separate motion for clarification of the Commission's order or, in the alternative, for a stay pending judicial review. On January 31, 2005, Complaint Counsel filed a petition for reconsideration to clarify Respondents' obligations as to the Pitt-Des Moines and CB&I corporate names. This Order addresses the parties' motions for clarification and Respondents' motion for stay and request to toll the time period for filing a petition for review.

**1. Respondents' Motion for Clarification or, in the
Alternative, for a Stay**

Respondents request clarification that Paragraph III of the Commission's order – which requires CB&I to reorganize its Industrial Division and, to the extent necessary, its water tank unit into two separate, stand-alone divisions for purposes of divesting one of them – is a divestiture provision within the meaning of Section 5(g)(4) of the FTC Act, 15 U.S.C. § 45(g)(4), and is therefore automatically stayed pending Respondents' appeal. In