

Interlocutory Orders, Etc.

IN THE MATTER OF

**BALL CORPORATION
AND
REXAM PLC**

Docket No. C-4581. Order, October 19, 2017

Letter notifying Ball Corporation of the Commission's decision to waive prior approval and public comment regarding amendments to the Equity and Asset Purchase Agreement.

LETTER WAIVING PRIOR APPROVAL AND COMMENT FOR
MODIFICATIONS TO AN AGREEMENT

Nicholas E.O. Gaglio, Esquire
Axinn, Veltrop & Harkrider LLP

Re: In the matter of *Ball/Rexam*, FTC Docket No. C-4581

Dear Mr. Gaglio:

This letter is in reference to the request of Ball Corporation, dated September 12, 2017, submitted to the Federal Trade Commission, with respect to proposed amendments to the Equity and Asset Purchase Agreement, incorporated by reference into the above-referenced Order. Ball requests waiver of the Commission's approval process with respect to Amendment No. 3, which is attached to the September 12th request.

After consideration of Ball's request and pursuant to the authority delegated to me under Rule 2.41(f)(5)(ii) of the Commission's Rules of Practice, 16 C.F.R. §2.41(f)(5)(ii), I hereby waive the requirements for Commission approval and the public comment period for the modification to the Equity and Asset Purchase Agreement as described in Ball's request.

If you have further questions, please contact Jennifer Lee, the Compliance staff attorney assigned to this matter. Ms. Lee can be reached at 202-326-2246 or jlee@ftc.gov.

Interlocutory Orders, Etc.

IN THE MATTER OF

**LOUISIANA REAL ESTATE APPRAISERS
BOARD***Docket No. 9374. Order, October 26, 2017*

Order extending the Administrative Law Judge's order staying this proceeding for 90 days.

**ORDER CONTINUING STAY AND POSTPONING THE EVIDENTIARY
HEARING**

On May 30, 2017, the Commission issued a Part 3 Administrative Complaint in this proceeding against the Louisiana Real Estate Appraisers Board ("Respondent" or "Board"), alleging that the Board has unreasonably restrained competition, in violation of Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45.¹ The Complaint provides that the administrative hearing in this proceeding should begin on January 30, 2018.² On July 18, 2017, Respondent filed a motion to stay this proceeding for 120 days, arguing that an executive order issued by the Governor of Louisiana that required the Board to take certain actions within 90 days – and the Board's issuance of a resolution in response to that order – supported staying the proceeding until the required actions had been taken.³ On July 24, Complaint Counsel filed an opposition, arguing, *inter alia*, that even if the Board were to fully implement the executive order and its own resolution, that would not yield an effective supervision regime, and would not eliminate the need for Commission intervention.⁴ On July 28, Chief Administrative Law Judge Chappell issued an order staying this proceeding for 90 days, based on "recent

1 *In the Matter of Louisiana Real Estate Appraisers Board*, Docket No. 9374 (hereinafter "*LREAB*"), [Complaint](#) (May 30, 2017).

2 *Id.* at 9.

3 *LREAB*, [Respondent LREAB's Motion To Stay Part 3 Administrative Proceedings and Memorandum In Support Thereof](#) at 1-2 (July 18, 2017).

4 *LREAB*, [Complaint Counsel's Opposition To Respondent's Motion To Stay](#) at 3, 6 (July 24, 2017).