

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA,

*Plaintiff,*

v.

ALCAN INC.,  
ALCAN ALUMINUM CORP.,  
PECHINEY, S.A., and  
PECHINEY ROLLED PRODUCTS, LLC,

*Defendants.*

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) Case No. 1:03 CV 02012-GK  
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) Judge Gladys Kessler  
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) DECK TYPE: Antitrust  
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**STIPULATED ORDER REGARDING THE COURT'S CONSIDERATION  
OF THE PROPOSED FINAL JUDGMENT AND THE STATE OF WEST  
VIRGINIA'S PENDING MOTION TO INTERVENE OR TO APPEAR  
AS AN AMICUS CURIAE AND FOR AN EVIDENTIARY HEARING**

WHEREAS plaintiff, defendants, and the State of West Virginia represent that a short postponement of the Court's consideration of whether entry of the proposed Final Judgment is in the public interest and the State of West Virginia's pending motion would not result in unreasonable delay; and

WHEREAS the Court held a status conference today with representatives of the parties and the State of West Virginia, and during a sealed hearing (with the parties alone) received a satisfactory explanation of the parties' reasons for this Stipulated Order;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties and the State of West Virginia, subject to approval and entry

by the Court, and without prejudice to any aspect of plaintiff's, defendants', or West Virginia's legal position in this matter, that until after June 1, 2004:

- A. Pechiney's Brazing Sheet Business will not be sold to any Acquirer pursuant to the terms of the proposed Final Judgment pending in this case (*see* Final Judgment, §§ II(E), IV, and V);
- B. The Court will not conduct a hearing or rule on the State of West Virginia's pending motion; and
- C. Neither plaintiff nor defendants will move the Court to enter, and the Court will refrain from entering, the proposed Final Judgment.

Dated: April 22, 2004.

Respectfully submitted,

FOR PLAINTIFF  
UNITED STATES OF AMERICA

FOR DEFENDANTS ALCAN INC.,  
ALCAN ALUMINUM CORP.,  
PECHINEY, S.A., and PECHINEY  
ROLLED PRODUCTS LLC

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/s/  
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FOR MOVANT THE STATE OF WEST  
VIRGINIA

/s/

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ORDER

IT IS SO ORDERED by the Court, this \_\_\_\_ day of \_\_\_\_\_ 2004.

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United States District Judge