

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

GENERAL DYNAMICS CORPORATION;
AIR REDUCTION COMPANY, INC.;
CHEMETRON CORPORATION; and
OLIN MATHIESON CHEMICAL
CORPORATION,

Defendants.

Civil Action No. 07MC106

Judge: Johnson

Date Stamp: March 15, 2007

**ORDER ESTABLISHING NOTICE AND PUBLIC COMMENT
PROCEDURES FOR MOTION TO TERMINATE 1963 FINAL JUDGMENT**

The BOC Group, Inc. (“BOC”), a successor in interest to defendant Air Reduction Company, Inc.; Praxair, Inc. (“Praxair”), a successor in interest to defendant General Dynamics Corporation; and American Air Liquide Holdings, Inc. (“Air Liquide”), on behalf of certain of its subsidiaries that acquired the carbon dioxide business of defendant Chemetron Corporation, having moved for an order terminating the Final Judgments entered by this Court on October 17, 1963 (“1963 Final Judgment”); and plaintiff, the United States, having tentatively consented to the motion, and plaintiff having proposed, and BOC, Praxair, and Air Liquide having agreed, that notice of the motion and the United States’ tentative consent to it be published at the expense of BOC, Praxair, and Air Liquide, and that all interested persons be given an opportunity to submit comments concerning the proposed termination of the 1963 Final

Judgment; and it appearing to the Court desirable to invite such comments, and in consideration of the parties' Stipulation dated March __, 2007, it is

ORDERED that BOC, Praxair, and Air Liquide shall publish at their own expense a notice in the form attached as Exhibit B to the Stipulation in the above-captioned matter in issues of (a) Food Engineering and (b) Beverage World; and two consecutive issues of (c) Chemical Week – and file proof of such publications with the Court; and it is

FURTHER ORDERED, that copies of all comments received by plaintiff within sixty (60) days after the last publication of the notices required by this order shall be filed with this Court by plaintiff promptly after it receives such comments; and it is

FURTHER ORDERED, that this Court will not rule upon defendants' motion until at least the seventieth (70th) day after the last publication of the notices required by this order and the publication by the United States of a notice in the Federal Register announcing these proceedings.

DONE, this ____ day of _____, 2007.

UNITED STATES DISTRICT COURT JUDGE
EASTERN DISTRICT OF NEW YORK