

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

THE LIQUID CARBONIC CORPORATION;
AIR REDUCTION COMPANY, INC.;
PURE CARBONIC, INC.;
WYANDOTTE CHEMICALS CORPORATION; and
INTERNATIONAL CARBONIC ENGINEERING
COMPANY,

Defendants.

Civil Action No. 07MC107

Judge: Amon

Date Stamp: March 15, 2007

**ORDER ESTABLISHING NOTICE AND PUBLIC COMMENT
PROCEDURES FOR MOTION TO TERMINATE 1952 FINAL JUDGMENT**

The BOC Group, Inc. (“BOC”), a successor in interest to defendant Air Reduction Company, Inc., and defendant Pure Carbonic, Inc.; and Praxair, Inc. (“Praxair”), a successor in interest to defendant Liquid Carbonic Corporation, having moved for an order terminating the Final Judgment entered by this Court on March 7, 1952, as amended (“1952 Final Judgment”); and plaintiff, the United States, having tentatively consented to the motion, and plaintiff having proposed, and BOC and Praxair having agreed, that notice of the motion and the United States’ tentative consent to it be published at the expense of BOC and Praxair, and that all interested persons be given an opportunity to submit comments concerning the proposed termination of the 1952 Final Judgment; and it appearing to the Court desirable to invite such comments, and in consideration of the Stipulation of the parties dated March __, 2007, it is

ORDERED that defendants BOC and Praxair 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