

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES



\_\_\_\_\_)  
In the Matter of )  
)  
Tronox Limited )  
a corporation, )  
)  
National Industrialization Company )  
(TASNEE) )  
a corporation, )  
)  
National Titanium Dioxide Company )  
Limited (Cristal) )  
a corporation, and )  
)  
Cristal USA Inc. )  
a corporation, )  
)  
Respondents. )  
\_\_\_\_\_)

DOCKET NO. 9377

**ORDER ON RESPONDENT TRONOX'S  
MOTION FOR *IN CAMERA* TREATMENT**

**I.**

Pursuant to Rule 3.45(b) of the Commission's Rules of Practice and the Scheduling Order entered in this matter, Respondent Tronox Limited ("Tronox") filed a motion for *in camera* treatment for materials that the parties have listed on their exhibit lists as materials that might be introduced at trial in this matter ("Motion"). Federal Trade Commission ("FTC" or "Commission") Complaint Counsel does not oppose Troxox's Motion. Tronox's Motion is GRANTED, as set forth below.

**II.**

The legal standards governing the Tronox's motion for *in camera* treatment are stated in the Order on Non-Parties' Motions for *In Camera* Treatment, issued on May 15, 2018. Included in that Order was an explanation of the circumstances where indefinite *in camera* treatment is appropriate.

### III.

Tronox supported its Motion with the declaration of its Senior Vice President and Chief Commercial Officer and attached the documents for which it seeks *in camera* treatment. The declaration describes in detail the confidential nature of the documents, the competitive harm that Tronox would suffer if these documents were made publicly available, and the measures that Tronox takes to ensure that they remain confidential. The declaration explains that the documents fall into seven categories.

The first category covers documents that contain Tronox's confidential customer-specific price and volume information. Tronox requests that documents in this category be kept *in camera* for ten years. Tronox has met its burden of demonstrating that the documents in the first category are entitled to *in camera* treatment for a period of ten years. *In camera* treatment for a period of ten years, to expire on June 1, 2028, is GRANTED for the documents identified in the first category.

The second category covers documents that contain aggregated price and volume information. Tronox requests that documents in this category be kept *in camera* for five years. Tronox has met its burden of demonstrating that the documents in the second category are entitled to *in camera* treatment for a period of five years. *In camera* treatment for a period of five years, to expire on June 1, 2023, is GRANTED for the documents identified in the second category.

The third category covers documents that contain confidential information regarding price-setting processes. Tronox requests that documents in this category be kept *in camera* for ten years. Tronox has met its burden of demonstrating that the documents in the third category are entitled to *in camera* treatment for a period of ten years. *In camera* treatment for a period of ten years, to expire on June 1, 2028, is GRANTED for the documents identified in the third category.

The fourth category covers documents that Tronox asserts consist of trade secrets. Tronox explains that these documents contain information about its production processes and technical specifications for its products. Tronox seeks indefinite *in camera* treatment for documents in the fourth category. Tronox has met its burden of demonstrating that the documents in the fourth category are entitled to indefinite *in camera* treatment. Indefinite *in camera* treatment is GRANTED for the documents identified in the fourth category.

The fifth category covers documents that contain confidential information regarding capacity, production, and inventory information. Tronox requests that documents in this category be kept *in camera* for ten years. Tronox has met its burden of demonstrating that the documents in the fifth category are entitled to *in camera* treatment for a period of ten years. *In camera* treatment for a period of ten years, to expire on June 1, 2028, is GRANTED for the documents identified in the fifth category.

The sixth category covers documents that contain confidential information regarding Tronox's business plans. Tronox requests that documents in this category be kept *in camera* for ten years. Tronox has met its burden of demonstrating that the documents in the sixth category are entitled to *in camera* treatment for a period of ten years. *In camera* treatment for a period of ten years, to expire on June 1, 2028, is GRANTED for the documents identified in the sixth category.

The seventh category covers documents that contain sensitive personal information. Tronox requests indefinite *in camera* treatment for documents in this category. Permanent *in camera* treatment is GRANTED for the documents identified in the seventh category.

#### IV.

Tronox's Motion is GRANTED. Tronox is hereby instructed to prepare a proposed order listing the documents that have been granted *in camera* treatment by expiration date and exhibit number. Tronox shall submit the proposed order in Word format to the Office of Administrative Law Judges by May 22, 2018, and need not file it with the Office of the Secretary.

ORDERED:



\_\_\_\_\_  
D. Michael Chappell  
Chief Administrative Law Judge

Date: May 15, 2018

Notice of Electronic Service

**I hereby certify that on May 15, 2018, I filed an electronic copy of the foregoing Order on Non-Parties Motion for In Camera Treatment, Order on Respondent Cristal's Motion for In Camera Treatment, Order on Respondent Tronox's Motion for In Camera Treatment, with:**

D. Michael Chappell  
Chief Administrative Law Judge  
600 Pennsylvania Ave., NW  
Suite 110  
Washington, DC, 20580

Donald Clark  
600 Pennsylvania Ave., NW  
Suite 172  
Washington, DC, 20580

**I hereby certify that on May 15, 2018, I served via E-Service an electronic copy of the foregoing Order on Non-Parties Motion for In Camera Treatment, Order on Respondent Cristal's Motion for In Camera Treatment, Order on Respondent Tronox's Motion for In Camera Treatment, upon:**

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