

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

ARCH COAL, INC., et al.,

Defendants.

Civil Action No. 04-0534 (JDB)

STATE OF MISSOURI, et al.,

Plaintiffs,

v.

ARCH COAL, INC., et al.,

Defendants.

Civil Action No. 04-0535 (JDB)

(Consolidated Cases)

ORDER

Upon consideration of plaintiff Federal Trade Commission's motion in limine to exclude, for the purposes of the preliminary injunction proceeding, all evidence and argument on the issue of Arch Coal, Inc.'s proposed sale of the Buckskin mine to Peter Kiewit Sons, Inc., the opposition

filed by defendants Arch Coal, Inc., Triton Coal Co., and New Vulcan Coal Holdings, LLC, plaintiff's reply thereto, and the entire record herein, it is this 7th day of July, 2004, hereby

ORDERED that plaintiff's motion is DENIED.

/s/ John D. Bates

JOHN D. BATES

United States District Judge

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