

UNITED STATES COURT OF INTERNATIONAL TRADE

MACLEAN-FOGG CO., *et al.*,

Plaintiffs,

v.

UNITED STATES,

Defendant.

Before: Donald C. Pogue,
Senior Judge

Consol. Court No. 11-00209¹

ORDER FOR REMAND

This remand order follows MacLean-Fogg Co. v. United States, 753 F.3d 1237 (Fed. Cir. 2014), reh'g en banc denied Ct. No. 13-1187, ECF No. 82 (Dec. 1, 2014) (per curiam). The Court of Appeals for the Federal Circuit reversed and remanded this Court's previous determination in MacLean-Fogg Co. v. United States, __ CIT __, 885 F. Supp. 2d 1337 (2012).

Accordingly, MacLean-Fogg Co. v. United States, Consol. Ct. No. 11-00209, is hereby remanded to the Department of Commerce for reconsideration consistent with the Court of Appeals' opinion.

Commerce shall have until February 23, 2015, to complete and file its remand redetermination. Plaintiffs, Plaintiff-Intervenors, and Defendant-Intervenor shall have until March 9, 2015, to file comments. Defendant shall have until March 19, 2015, to file any reply.

IT IS SO ORDERED.

/s/ Donald C. Pogue
Donald C. Pogue, Senior Judge

Dated: December 22, 2014
New York, NY

¹ This action is consolidated with Court Nos. 11-00210, 11-00220, and 11-00221. Order, Aug. 23, 2011, ECF No. 26.