

UNITED STATES COURT OF INTERNATIONAL TRADE

BEFORE: HONORABLE RICHARD K. EATON

INTERCONTINENTAL MARBLE
CORPORATION,

PLAINTIFF,

v.

UNITED STATES,

DEFENDANT.

COURT NO. 98-02961

JUDGMENT

Upon considering both plaintiff's and defendant's motions for summary judgment, the memoranda and accompanying materials in support thereof, and the oppositions and replies and supporting materials thereto; upon other papers and proceedings had herein, including this court's opinion and order dated April 30, 2003, and the proposed judgment order filed by the parties with the court on May 30, 2003; it is hereby:

ORDERED that plaintiff's motion for summary judgment be, and hereby is, granted in its entirety, and

ORDERED that defendant's motion for summary judgment be, and hereby is, denied in its entirety, and

ORDERED that judgment is hereby entered in favor of plaintiff; and

ORDERED that the subject merchandise at issue in this matter is properly classified as marble slabs under subheading 6801.91.05 of the Harmonized Tariff Schedule of the United

States. The United States Bureau of Customs and Border Protection is ordered to take all necessary action to reliquidate the entries involved herein consistent with this order; and

ORDERED that this action is dismissed.

Richard K. Eaton

Dated: June 10, 2003
New York, New York.