

UNITED STATES COURT OF INTERNATIONAL TRADE

<p>PRIMESOURCE BUILDING PRODUCTS, INC.,</p> <p>Plaintiff,</p> <p>v.</p> <p>UNITED STATES, et al.,</p> <p>Defendants.</p>
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**Before: Timothy C. Stanceu, Chief Judge
Jennifer Choe-Groves, Judge
M. Miller Baker, Judge**

Court No. 20-00032

JUDGMENT

Upon the court’s consideration of the parties’ Joint Status Report (Mar. 5, 2021), ECF No. 108, and all other filings herein, in accordance with the court’s Opinion of this date, and upon due deliberation, it is hereby

ORDERED that Proclamation 9980, *Adjusting Imports of Derivative Aluminum Articles and Derivative Steel Articles Into the United States*, 85 Fed. Reg. 5,281 (Exec. Office of the President Jan. 29, 2020) (“Proclamation 9980”) be, and hereby is, declared to be invalid as contrary to law; it is further

ORDERED that the entries affected by this litigation shall be liquidated without the assessment of duties provided for in Proclamation 9980; it is further

ORDERED that any deposits of estimated duties made pursuant to Proclamation 9980 on entries affected by this litigation shall be refunded with interest as provided by law; it is further

ORDERED that any entries affected by this litigation that may have been liquidated with the assessment of duties provided for in Proclamation 9980 shall be reliquidated without the assessment of such duties and with the refund, with interest as provided by law, of any such duties that were paid or collected; and it is further

ORDERED that each party shall bear its own costs.

/s/ Timothy C. Stanceu
Timothy C. Stanceu, Chief Judge

/s/ Jennifer Choe-Groves
Jennifer Choe-Groves, Judge

Dated: April 5, 2021
New York, New York

UNITED STATES COURT OF INTERNATIONAL TRADE

<p>OMAN FASTENERS, LLC, et al.,</p> <p>Plaintiffs,</p> <p>v.</p> <p>UNITED STATES, et al.,</p> <p>Defendants.</p>

Before: Jennifer Choe-Groves, Judge
M. Miller Baker, Judge
Timothy C. Stanceu, Judge

Consolidated Court No. 20-00037

JUDGMENT

Upon the court’s consideration of the parties’ Joint Status Report (Apr. 30, 2021), ECF No. 105, plaintiffs’ unopposed motion for entry of judgment (Apr. 30, 2021), ECF No. 106, and all other filings herein, in accordance with the court’s Opinion of this date, and upon due deliberation, it is hereby

ORDERED that defendants’ Motion to Dismiss Count I of Plaintiffs’ Complaints (Mar. 20, 2020), ECF No. 57, be, and hereby is, denied; it is further

ORDERED that plaintiffs’ Motion for Summary Judgment with Respect to Count I of Plaintiffs’ Complaint[s] (Apr. 14, 2020), ECF No. 65, be, and hereby is, granted, and plaintiffs are entitled to summary judgment on Count I of their respective complaints, (Feb. 7, 2020), ECF No. 2 (Ct. No. 20-00037); (Feb. 18, 2020), ECF No. 5 (Ct. No. 20-00045); it is further

ORDERED that the stays of Counts II and III of the Complaints, *see* Order (Mar. 9, 2020), ECF No. 46, Order (Mar. 16, 2020) ECF No. 54, are lifted and those Counts are dismissed without prejudice; it is further

ORDERED that plaintiff's Unopposed Motion for Dismissal Without Prejudice of Counts II and III & Entry of Summary Judgment on Count I (Apr. 30, 2021), ECF No. 106, be, and hereby is, granted; it is further

ORDERED that plaintiff's Unopposed Motion for Oral Argument (June 18, 2020), ECF No. 87, be, and hereby is, deemed withdrawn; it is further

ORDERED that Proclamation 9980, *Adjusting Imports of Derivative Aluminum Articles and Derivative Steel Articles Into the United States*, 85 Fed. Reg. 5,281 (Exec. Office of the President Jan. 29, 2020) ("Proclamation 9980") be, and hereby is, declared to be invalid as contrary to law; it is further

ORDERED that the entries affected by this litigation shall be liquidated without the assessment of duties provided for in Proclamation 9980; it is further

ORDERED that plaintiffs are no longer obligated to post a continuous bond to cover duties enacted pursuant to Proclamation 9980; it is further

ORDERED that any deposits of estimated duties made pursuant to Proclamation 9980 on entries affected by this litigation shall be refunded with interest as provided by law; it is further

ORDERED that any entries affected by this litigation that may have been liquidated with the assessment of duties provided for in Proclamation 9980 shall be reliquidated without the assessment of such duties and with the refund, with interest as provided by law, of any such duties that were paid or collected; and it is further

ORDERED that each party shall bear its own costs.

/s/ Jennifer Choe-Groves

/s/ Timothy C. Stanceu

Jennifer Choe-Groves, Judge

Timothy C. Stanceu, Judge

Dated: June 10, 2021

New York, New York