

NOTE: This disposition is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

SIMPSON STRONG-TIE COMPANY,
Plaintiff-Appellee

v.

UNITED STATES,
Defendant-Appellant

MID CONTINENT STEEL & WIRE, INC.,
Defendant-Appellee

2019-2403

Appeal from the United States Court of International Trade in No. 1:17-cv-00057-GSK, Judge Gary S. Katzmann.

Decided: August 28, 2020

ROBERT KEVIN WILLIAMS, Clark Hill PLC, Chicago, IL, argued for plaintiff-appellee. Represented by GEORGE REID TUTTLE, III, Law Offices of George R. Tuttle, A Professional Corporation, San Rafael, CA.

SOSUN BAE, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington,

DC, argued for defendant-appellant. Also represented by ETHAN P. DAVIS, JEANNE DAVIDSON, PATRICIA M. MCCARTHY; VANIA WANG, Office of the Chief Counsel for Trade Enforcement and Compliance, United States Department of Commerce, Washington, DC.

ADAM H. GORDON, The Bristol Group PLLC, Washington, DC, for defendant-appellee. Also represented by PING GONG.

Before PROST, *Chief Judge*, MOORE and STOLL, *Circuit Judges*.

STOLL, *Circuit Judge*.

The Government appeals a decision of the United States Court of International Trade affirming a remand determination of the United States Department of Commerce concluding that certain zinc masonry anchors and certain nylon masonry anchors imported by Simpson Strong-Tie Company are outside the scope of an antidumping order imposed on certain steel nails from the People's Republic of China. *See generally Simpson Strong-Tie Co. v. United States*, 393 F. Supp. 3d 1251 (Ct. Int'l Trade 2019); *see also Notice of Antidumping Duty Order: Certain Steel Nails from the People's Republic of China*, 73 Fed. Reg. 44,961 (Dep't of Commerce Aug. 1, 2008). The issues presented in this case are substantially identical to the issues presented in *OMG, Inc. v. United States*, No. 19-2131 (Fed. Cir. Aug. 28, 2020), issued herewith.¹ For the reasons stated in

¹ Though *OMG* involves a different antidumping order covering certain steel nails from the Socialist Republic of Vietnam, the relevant scope language of that order is substantially identical to that of the antidumping order at issue in this case. *Compare Certain Steel Nails from the Republic of Korea, Malaysia, the Sultanate of Oman*,

SIMPSON STRONG-TIE CO. v. UNITED STATES

3

that opinion, we affirm the decision of the Court of International Trade.

AFFIRMED

Taiwan, and the Socialist Republic of Vietnam: Antidumping Duty Orders, 80 Fed. Reg. 39,994, 39,995 (Dep't of Commerce July 13, 2015), *with Certain Steel Nails from the People's Republic of China*, 73 Fed. Reg. at 44,961–62.