

J U D G M E N T

UNITED STATES COURT OF INTERNATIONAL TRADE

Thomas J. Aquilino, Jr., Senior Judge

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FORMER EMPLOYEES OF WARP PROCESSING :
CO., INC., :

Plaintiffs, :

v. :

Court No. 08-00179

UNITED STATES DEPARTMENT OF LABOR, :

Defendant. :

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This case pursuant to 19 U.S.C. §2395 and 28 U.S.C. §1581(d) having been brought by former employees of Warp Processing Co., Inc. of Exeter, Pennsylvania, seeking judicial review of the Negative Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance And Alternative Trade Adjustment Assistance (Feb. 19, 2008) of the Employment and Training Administration ("ETA"), U.S. Department of Labor, No. TA-W-62,655, and of its subsequent Notice of Negative Determination Regarding Application for Reconsideration (March 18, 2008); and, after joinder of issue, the defendant having interposed a motion for voluntary remand "to enable Labor to state with greater clarity and accuracy the bases for its determination in a way that would facilitate this Court's

review"; and the court in slip opinion 09-14, 33 CIT ___ (Feb. 20, 2009), having granted said motion and remanded this matter to the ETA for reconsideration; and the defendant having filed ETA's Notice of Revised Determination on Remand (May 1, 2009), certifying that

All workers of Warp Processing Company, Inc., Exeter, Pennsylvania, who became totally or partially separated from employment on or after January 9, 2007, through two years from this revised determination, are eligible to apply for Trade Adjustment Assistance under Section 223 of the Trade Act of 1974, and are eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974[;]

and the plaintiffs having thereafter urged the court to affirm this certification; Now therefore, after due deliberation, it is

ORDERED, ADJUDGED AND DECREED that ETA's foregoing certification, as set forth in its Notice of Revised Determination on Remand (May 1, 2009), be, and it hereby is, affirmed.

Dated: New York, New York
July 1, 2009

/s/ Thomas J. Aquilino, Jr.
Senior Judge