

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2010-1024

DIAMOND SAWBLADES MANUFACTURERS' COALITION,

Plaintiff-Appellee,

v.

UNITED STATES,

Defendant-Appellee,

v.

SAINT-GOBAIN ABRASIVES, INC.,

Defendant-Appellant,

and

HEBEI JIKAI INDUSTRIAL GROUP CO., LTD. and  
HUSQVARNA CONSTRUCTION PRODUCTS NORTH AMERICA, INC.,

Defendants-Appellants,

and

EHWA DIAMOND INDUSTRIAL CO., LTD.,

Defendant-Appellant,

and

BOSUN TOOLS GROUP CO., LTD.,

Defendant-Appellant.

Appeal from the United States Court of International Trade  
in case no. 09-CV-0110, Senior Judge R. Kenton Musgrave.

ON MOTION

Before LOURIE, Circuit Judge.

ORDER

Diamond Sawblades Manufacturers' Coalition moves to vacate the court's November 4, 2009 temporary stay of the September 30, 2009 order of the United States Court of International Trade.

The appellants sought a stay, pending appeal, of the September 30, 2009 order requiring the Department of Commerce to "issue and publish antidumping duty orders and require the collection of cash deposits on subject merchandise." In their motion, the appellants stated that "If the antidumping duty order is issued prior to a court decision on the pending motions for stay, the motions for stay will become moot." The court issued an order on November 4, 2009 temporarily staying the trial court's September 30 order.

Diamond Sawblades notifies the court that Commerce published the antidumping duty order requiring collection of cash deposits prior to entry of the court's temporary stay. See Diamond Sawblades and Parts Thereof From the People's Republic of China and the Republic of Korea: Antidumping Duty Orders, 74 Fed. Reg. 57,145 (Nov. 4, 2009). Thus, Diamond Sawblades moves to vacate the temporary stay.

Because the appellants conceded in their stay motion that the motion would become moot if Commerce issued the antidumping duty order prior to the court's action on the stay motion, the stay motion is moot. Thus, the temporary stay is vacated.

Accordingly,

IT IS ORDERED THAT:

(1) Diamond Sawblades' motion to vacate the court's November 4, 2009 temporary stay is granted.

(2) The appellants' motion to stay, pending appeal, the trial court's September 30, 2009 order is moot.

FOR THE COURT

NOV 05 2009

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

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**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

NOV 05 2009

JAN HORBALY  
CLERK

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