

UNITED STATES COURT OF INTERNATIONAL TRADE

PT PINDO DELI PULP and PAPER MILLS,

Plaintiff,

v.

UNITED STATES,

Defendant,

and

APPLETON COATED LLC, NEWPAGE CORPORATION, S.D. WARREN COMPANY d/b/a SAPPI FINE PAPER NORTH AMERICA, UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO-CLC,

Intervenor Defendants.

Before: Jane A. Restani, Judge

Court No. 10-00370

[Plaintiff-Respondent PT Pindo Deli Pulp and Paper Mills' motion for judgment on the agency record in countervailing duty order scope matter denied.]

Dated: March 16, 2012

Daniel L. Porter and James P. Durling, Curtis, Mallet-Prevost, Colt & Mosle LLP, of Washington, DC, argued for plaintiff. With them on the brief were Matthew P. McCullough and Ross E. Bidlingmaier.

Alexander V. Sverdlov, Commercial Litigation Branch, Civil Division, U.S. Department of Justice, of Washington, DC, argued for defendant. With him on the brief were Tony West, Assistant Attorney General, Jeanne E. Davidson, Director, and Patricia M. McCarthy, Assistant Director. Of counsel on the brief was David Richardson, International Office of the Chief Counsel for Import Administration, U.S. Department of Commerce, of Washington, DC.

William A. Fennell, Stewart and Stewart of Washington, DC, and Gilbert B. Kaplan, King & Spalding, LLP, of Washington DC, argued for intervenor defendants. With them on the brief were Elizabeth J. Drake and Terence P. Stewart, Stewart and Stewart, of Washington, DC, and Jeffrey M. Telep, Brian E. McGill, and Christopher T. Cloutier, King & Spalding, LLP, of Washington, DC.

ORDER

This case having been duly submitted for decision; and the court, after due deliberation, having rendered a decision herein; Now therefore, in conformity with the decision issued in Court No. 10-00369, Slip Op. 12-33, it is hereby

ORDERED that Plaintiff PT Pindo Deli and Paper Mills' motion for judgment on the agency record is denied and the challenged determination of Commerce is SUSTAINED.

/s/ Jane A. Restani

Jane A. Restani
Judge

Dated this 16th day of March, 2012.
New York, New York.