

Slip Op. 99-113

UNITED STATES COURT OF INTERNATIONAL TRADE
THE HONORABLE NICHOLAS TSOUCALAS

NTN BEARING CORP. OF AMERICA, NTN
CORPORATION, AMERICAN NTN BEARING MFG.
CORP., NTN DRIVESHAFT, INC. and
NTN-BOWER CORPORATION,

Plaintiffs and
Defendant-Intervenors,

v.

UNITED STATES,

Defendant,

KOYO SEIKO CO., LTD. and KOYO CORPORATION
OF U.S.A.; NSK LTD. and NSK CORPORATION, :

Defendant-Intervenors,

THE TORRINGTON COMPANY,

Defendant-Intervenor and
Plaintiff.

Consolidated Court
No. 97-01-00092

ORDER

Upon consideration of the motion of defendant-intervenors Koyo Seiko Co., Ltd. and Koyo Corporation of U.S.A. (hereinafter collectively “Koyo”), for reconsideration, it is hereby

ORDERED that, in light of the decision of the Court of Appeals for the Federal Circuit in NSK Ltd. v. United States, 1999 U.S. App. LEXIS 21338, at *21-*30 (Fed. Cir. Sept. 2, 1999), this Court’s Order in Slip Op. 99-71, dated July 29, 1999, is modified by redacting the last paragraph of page fifteen remanding the case to the Department of Commerce with instructions to “review

the record to determine whether it is possible to isolate and remove the portions of Koyo's warranty expenses which relate to non-scope merchandise from the adjustments to FMV or to deny the adjustment if such a distinction and apportionment cannot be made"; and it is further

ORDERED that this Court's Order in Slip Op. 99-71 is further modified by extending the date by which the remand results are due to the Court an additional thirty (30) days; and it is further

ORDERED that the remainder of Slip Op. 99-71 is unchanged; and it is further

ORDERED that the Department's final results are affirmed as they apply to Koyo Seiko Co., Ltd. and Koyo Corporation of U.S.A.

NICHOLAS TSOUCALAS
SENIOR JUDGE

Dated: October 22, 1999
New York, New York