

UNITED STATES COURT OF INTERNATIONAL TRADE

BEFORE: HON. GARY S. KATZMANN, JUDGE

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Tingley Rubber Corp., :
: Court No. 20-03711
Plaintiff, :
: v. :
United States, :
: *Defendant.* :
-----X

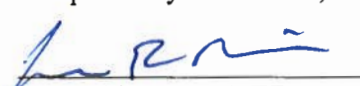
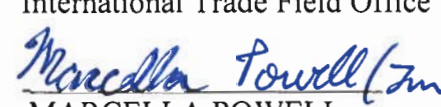
STIPULATED JUDGMENT ON AGREED STATEMENT OF FACTS

This action, as prescribed by Rule 58.1 of the Rules of the United States Court of International Trade, is stipulated for judgment on the following agreed statement of facts in which the parties agree:

1. The protest was filed and the action was commenced within the time provided by law, and all liquidated duties, charges or exactions were paid prior to the filing of the summons.
2. The imported merchandise consists of latex rubber boot savers.
3. The latex rubber boot savers were classified at entry and liquidation under subheading 6401.92.90, Harmonized Tariff Schedule of the United States (HTSUS), which provides for “[w]aterproof footwear with outer soles and uppers of rubber or plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes: [o]ther footwear: [c]overing the ankle but not covering the knee: [o]ther: [o]ther,” dutiable at the rate of 37.5% *ad valorem*.

4. The latex rubber boot savers are properly classifiable under subheading 6401.99.30, HTSUS, which provides for “[w]aterproof footwear with outer soles and uppers of rubber or plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes: [o]ther footwear: [o]ther: [o]ther: [d]esigned to be worn over, or in lieu of, other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather: [d]esigned for use without closures,” dutiable at the rate of 25% *ad valorem*.
5. The imported merchandise covered by the entries set forth on the attached Schedule A is stipulable in accordance with this agreement.
6. Any refunds payable by reason of this judgment are to be paid with interest provided by law.
7. All other claims and non-stipulable entries are abandoned.
8. Each party will bear its own costs and attorney’s fees.

By: /s/ Joseph M. Spraragen 12/30/2024
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Respectfully submitted,
By:  12/30/2024
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SCHEDULE A (2) TO STIPULATED JUDGMENT CIT No. 20-03711

Port: Chicago, Illinois (3901)

Summons Filed: October 1, 2020

PROTEST NUMBER	ENTRY NUMBER	ENTRY LINE NUMBER		
3901-19-103315	420-2048858-3	1		
3901-19-103315	420-2049848-3	1		
3901-19-103315	420-2050088-2	1		

IT IS HEREBY ORDERED that this Action is decided and the final judgment is to be entered by the Clerk of this Court, and that the appropriate Customs officials shall reliquidate the entries and make refund in accordance with the stipulation of the parties set forth above.

Date: _____

Gary S. Katzmann, Judge