

IN THE UNITED STATES COURT OF INTERNATIONAL TRADE

BEFORE: THE HONORABLE M. MILLER BAKER, JUDGE

_____)	
CALIFORNIA STEEL INDUSTRIES,)	
INC.,)	
)	
Plaintiff,)	
)	
v.)	Court No. 21-cv-00015
)	
UNITED STATES,)	
)	
Defendant.)	
_____)	

STIPULATED JUDGMENT ON AGREED-UPON FACTS

This action is stipulated for judgment on the following statement of facts to which the parties have agreed:

1. Plaintiff California Steel Industries, Inc. (CSI) is a United States importer and distributor of steel slab.

2. In 2018 and 2020, CSI imported into the United States steel articles that were subject to a tariff of 25 percent pursuant to presidential action under section 232 of the Trade Expansion Act of 1962, 19 U.S.C. § 1862, under *Proclamation 9705 of March 8, 2018 Adjusting Imports of Steel Into the United States*, 83 Fed. Reg. 11,625 (Mar. 15, 2018) (imposing Section 232 tariff of 25 percent on imported steel articles).

3. Pursuant to the exclusion process directed by the President in *Proclamation 9705*, and the subsequent implementing regulations issued by the U.S. Department of Commerce (Commerce), CSI submitted to Commerce 193 requests that certain steel articles be excluded from the Section 232 duties. Compl. ¶ 3, Exhibit 1.

4. Commerce denied all 193 of CSI's exclusion requests.

5. Exclusions, if granted, are generally valid from the date that Commerce accepted the request for relief until one year from the date of signature of the decision memorandum. *Proclamation No. 9777*, 83 Fed. Reg. 45,025 cl. 5 (Aug. 29, 2018). Therefore, had Commerce granted the exclusion requests in 2018 or 2020, the one-year exclusion period for entries of merchandise would have ended one year after the respective decision date.

6. Without admitting liability or otherwise, the parties have agreed to settle all of CSI's claims regarding the imported merchandise subject to the exclusion requests at issue in this action, including any claims that CSI could have been brought against the United States under any jurisdictional provision of 28 U.S.C. § 1581, relating to the exclusions and entries at issue. That settlement has been reached pursuant to the Department of Justice's inherent and statutory authority to compromise and settle litigation and has been approved by the Attorney General's authorized representative.

7. The United States, acting through U.S. Customs & Border Protection, shall promptly reliquidate, without assessment of Section 232 duties, the entries identified on Attachment A to this Stipulated Judgment.

8. All refunds payable by reason of this judgment are to be paid with interest provided for by law pursuant to 19 C.F.R. § 24.36.

9. Any Section 232 duties assessed on any merchandise that is covered by any liquidated entries identified in Attachment B will be final and non-protestable.

10. CSI waives any right to appeal, challenge, or to make any claim against the defendant with respect to or arising from the exclusion requests identified in paragraph 3, or the entries identified in Attachments A or B, other than a claim by motion or otherwise that refunds have not been paid in the full amount specified, or in the time or manner provided for in this Stipulated Judgment and/or the settlement agreement.

WHEREFORE, plaintiff, CSI, and defendant, the United States, respectfully request that the Court enter the accompanying proposed judgment in accordance with this stipulation.

Respectfully Submitted,

/s/ Sanford M. Litvack
SANFORD M. LITVACK

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March 11, 2025

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JUDGMENT

Pursuant to U.S. Court of International Trade Rule 54, and upon consideration of the stipulation by plaintiff and defendant, and no party having objected, now, in accordance with said stipulation,

IT IS HEREBY ORDERED that this final judgment is to be entered by the Clerk of the Court; the appropriate U.S. Customs and Border Protection officials shall reliquidate the entries and make refund in accordance with the stipulation of the parties set forth above; and it is further

ORDERED that this action is dismissed with prejudice and each party shall bear their own attorney fees, costs, and expenses.

JUDGE M. MILLER BAKER

Date: _____, 2025