

UNITED STATES COURT OF INTERNATIONAL TRADE

BEFORE: SENIOR JUDGE NICHOLAS TSOUCALAS

FAG KUGELFISCHER GEORG SCHAFFER AG,	:	
FAG ITALIA S.p.A.,	:	
BARDEN CORPORATION (U.K.) LTD.,	:	
FAG BEARINGS CORPORATION and	:	
THE BARDEN CORPORATION,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Court No. 99-08-00465
	:	
UNITED STATES,	:	
	:	
Defendant,	:	
	:	
THE TORRINGTON COMPANY,	:	
	:	
Defendant-Intervenor.	:	

ORDER

This matter comes before the Court pursuant to the decision of the Court of Appeals for the Federal Circuit ("CAFC") in FAG Kugelfischer Georg Schafer AG v. United States, 263 F.3d 1369 (Fed. Cir. 2001) and CAFC's mandate of October 15, 2001, vacating and remanding the judgment of the Court in FAG Kugelfischer Georg Schafer AG v. United States, 2000 Ct. Intl. Trade LEXIS 78, Slip Op. 00-80 (CIT July 7, 2000).

Pursuant to said decision by CAFC, this Court hereby

REMANDS this case to the Department of Commerce, International Trade Administration ("Commerce") to: (1) provide a reasonable explanation of why Commerce uses different definitions of "foreign like product" for price purposes and when calculating constructed value; (2) explain the factual setting for the calculations at issue; (3) explain the actual methodology of the calculations made; and (4) explain why Commerce's methodology for the calculations of constructed value profit comports with the statute, the definition of "foreign like product" contained in 19 U.S.C. § 1677(16), and particularly the definition in subsection (C); and it is hereby

ORDERED that the remand results are due within ninety (90) days of the date that this order is entered. Any responses or comments are due within thirty (30) days thereafter. Any rebuttal comments are due within fifteen (15) days after the date the responses or comments are due.

NICHOLAS TSOUCALAS
SENIOR JUDGE

Dated: November 15, 2001
New York, New York