

Investigations, U.S. International Trade Commission, telephone (202) 205-2575.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2007).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on April 25, 2008, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain vein harvesting surgical systems or components thereof by reason of infringement of one or more of claims 22, 26, 28, and 49 of U.S. Patent No. Re. 36,043 and claims 1-4 and 7-9 of U.S. Patent No. 6,830,546, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—  
Maquet Cardiovascular L.L.C., 170 Baytech Drive, San Jose, CA 95134.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:  
Terumo Corporation, 44-1, 2 C-chome, Hatagaya, Shibuya-ku, Tokyo, 151-0072, Japan.

Terumo Cardiovascular Systems Corporation, 6200 Jackson Road, Ann Arbor, MI 48103.

(c) The Commission investigative attorney, party to this investigation, is T. Spence Chubb, Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Honorable Carl C. Charneski is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the

Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

Issued: April 28, 2008.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary of the Commission.*

[FR Doc. E8-9705 Filed 5-2-08; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[USITC SE-08-009]

### Government in the Sunshine Act Meeting Notice

**AGENCY HOLDING THE MEETING:** United States International Trade Commission.

**TIME AND DATE:** May 14, 2008 at 11 a.m.

**PLACE:** Room 101, 500 E Street, SW., Washington, DC 20436, Telephone: (202) 205-2000.

**STATUS:** Open to the public.

#### MATTERS TO BE CONSIDERED:

1. Agenda for future meetings: None.
2. Minutes.
3. Ratification List.
4. Inv. No. 731-TA-1121 (Final) (Light-Walled Rectangular Pipe and Tube from Turkey)—briefing and vote. (The Commission is currently scheduled to transmit its determination and Commissioners' opinions to the Secretary of Commerce on or before May 23, 2008.)

5. Outstanding Action Jackets: None. In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

Issued: April 30, 2008.

By Order of the Commission.

**William R. Bishop,**

*Hearings and Meetings Coordinator.*

[FR Doc. E8-9885 Filed 5-2-08; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Settlement Agreement Under the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that on April 25, 2008, a proposed Settlement Agreement in *United States and the State of Montana v. ASARCO LLC, Atlantic Richfield Company ("Arco"), and Arco Environmental Remediation LLC*, No. 6:08-CV-00030 DWM, was lodged with the United States District Court for the District of Montana, Helena Division.

In this action the United States and the State of Montana alleged claims for injunctive relief, recovery of response costs, and recovery of natural resource damages in connection with the release and threats of release of hazardous substances at and from the Mike Horse Mine and surrounding area ("Site") in Lewis and Clark County, Montana, pursuant to sections 106, 107 and 113(f) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9606, 9607 & 9613(f); sections 301(a), 309(b) and 311 of the Clean Water Act ("CWA"), 33 U.S.C. 1311(a), 1319(b) & 1321; and section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6973. The State also alleged claims under the Montana Comprehensive Environmental Cleanup and Responsibility Act ("CECRA"), Mont. Code Ann. sections 75-10-701, *et seq.*, and the Montana Water Quality Act ("WQA"), Mont. Code Ann. sections 75-5-101, *et seq.*

The Settlement Agreement, which is subject to the district court's approval, requires among other things that the settlers pay \$17 million in cash. Of this sum, ASARCO LLC will pay \$8.5 million and Arco and Arco Environmental Remediation LLC will pay \$8.5 million. From these initial cash payments, \$1 million will be paid to the Forest Service in reimbursement of response costs expected to be incurred in oversight of response actions. The remainder will be paid to the State. The State will use the funds to perform response action and natural resource restoration. In addition, ASARCO LLC has agreed to an allowed general unsecured claim of \$20 million to be paid out in accordance with the terms