

## Trade Law Remedies

### Overview

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Adduci, Mastriani & Schaumberg LLP (AMS) represents clients in a broad range of trade law remedy actions, at both the administrative and appellate levels. AMS represents both foreign and domestic clients, maintaining focus on a client's business imperatives while providing superior legal expertise. Our in-depth knowledge of trade law remedies enables us to guide clients through innovative legal strategies, leading to our involvement in some of the most ground-breaking trade law investigations this decade.

### Antidumping and Countervailing Duty Investigations

Antidumping orders can impose significant duties on imports into the United States of products that are priced below fair value and materially injure the domestic industry producing the same or similar products. Countervailing duty orders are designed to offset certain foreign government subsidies which similarly cause material injury.

AMS attorneys have been active in antidumping and countervailing duty cases before the U.S. Department of Commerce and U.S. International Trade Commission since the early 1980s.

- We represent domestic and foreign clients through all stages of each investigation, through annual and sunset reviews, new shipper reviews, and in appeals before the U.S. Court of International Trade and the U.S. Court of Appeals for the Federal Circuit (CAFC).
- We advise clients on the availability of statutory enforcement provisions relating to existing AD and CVD orders to deter circumvention of the order and to prevent the evasion of duties.
- Clients benefit from our familiarity with trade remedy laws, policies, and practices of the agencies and courts administering U.S. trade remedies, resulting in significant wins at the CAFC and the first negative preliminary AD/CVD vote since 2009.
- We also maintain relationships with economic experts and international partners who bring their own extensive knowledge and experience in this specialized area of law.
- Our experience with the notoriously aggressive deadlines in antidumping and countervailing duty investigations allows us to immediately mobilize essential resources and hit the ground running.
- We provide customized advice for petitioners and respondents, with experience on a wide variety of products including large residential washers, cold-rolled steel, stainless steel flat products, titanium sponge, flat panel displays, aramid fiber, industrial rayon yarn, antifriction bearings, chemicals, television receivers, wax candles and cookware, pharmaceuticals, polypropylene fibers, bricks, ceramic tiles, textile products and fresh cut flowers.
- Even clients not participating directly in investigations still have business interests at stake. We can offer guidance on practical business decisions and strategies that may reduce or even eliminate exposure to duties resulting from an antidumping or countervailing duty investigation.

### Section 201 Global Safeguard Investigations

Section 201 provides import relief for domestic industries injured or seriously threatened with serious injury by increased imports. AMS attorneys' history of government service and trade law specialization uniquely positions us to advise clients when to utilize this special statute.

- We help clients navigate the best course of action for their business objectives, including the use of rarely-used trade statutes such as Section 201, when applicable.
- AMS attorneys successfully represented our clients in one of only two rare Section 201 investigations at the ITC since 2001.

### Section 232 Investigations

Section 232 investigations are conducted by the Department of Commerce, and determine the effects of imports on

national security. This statute, which was utilized only once in the past two decades, has seen a resurgence under the current Administration, with the President initiating Section 232 investigations of steel and aluminum. AMS attorneys have highly sought-after experience with past steel investigations, and utilize that experience for the benefit of our clients.

- We advise clients on the potential impacts of Section 232 remedies, providing critical policy advice regarding trade decisions with significant business implications.
- We advocate for clients and connect them with key individuals in Congress and government agencies, including the U.S. Trade Representative (USTR), Department of Commerce (DOC), and U.S. Customs and Border Protection (Customs).
- We guide clients through the legal and political options to achieve their commercial goals in times of market uncertainty.

## Section 301 Investigations

The Office of the U.S. Trade Representative (USTR) conducts Section 301 investigations, which determine if the rights of the U.S. under any trade agreement are being denied, or if an act, policy or practice of a foreign country is unjustifiable and burdens or restricts U.S. commerce. The President and the USTR have broad authority to take remedial action when an investigation reveals that such conditions exist. This statute has become increasingly relevant as the U.S. explores alternative ways to deal with Chinese practices related to intellectual property, technology transfer, and innovation.

- We advise clients on the potential impact of Section 301 remedies.
- We advocate for clients' interests with key individuals in Congress and government agencies, including the USTR, DOC, and Customs.
- We monitor domestic and foreign developments that may impact a client's business and legal interests.

## News & Insights

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### Safeguards Win for Whirlpool

AMS attorney Deanna Tanner Okun successfully represented Whirlpool Corporation in a safeguards petition regarding large residential washers.

### The Perryman Company Secures First Negative Preliminary AD/CVD Vote Since 2009

The Perryman Company, represented by AMS attorneys Deanna Tanner Okun, Elizabeth Duall Regard, and Rowan M. Dougherty, secured the first negative preliminary AD/CVD vote at the ITC since 2009.