

NOTE: This disposition is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

KYD, INC.,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee,

AND

**POLYETHYLENE RETAIL CARRIER BAG
COMMITTEE, HILEX POLY CO., LLC, AND
SUPERBAG CORPORATION,**
Defendants-Cross-Appellants.

2012-1533, -1534

Appeal from the United States Court of International
Trade in No. 09-CV-0034, Judge Donald C. Pogue.

JUDGMENT

DAVID J. CRAVEN, Riggle & Craven, of Chicago, Illinois, argued for plaintiff-appellant.

ALEXANDER V. SVERDLOV, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for defendant-appellee. On the brief were STUART F. DELERY, Principal Deputy Assistant Attorney General, JEANNE E. DAVIDSON, Director, PATRICIA M. MCCARTHY, Assistant Director, and CARRIE A. DUNSMORE, Trial Attorney. Of counsel on the brief was SCOTT D. MCBRIDE, Attorney, Office of the Chief Counsel for Import Administration, United States Department of Commerce, of Washington, DC.

DANIEL L. SCHNEIDERMAN, King & Spalding, LLP, of Washington, DC, argued for defendants-cross appellants. With him on the brief was STEPHEN A. JONES.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, PLAGER, and O'MALLEY, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

May 29, 2013
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk