

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN CARBURETORS AND
PRODUCTS CONTAINING SUCH
CARBURETORS

Inv. No. 337-TA-1123

**ORDER NO. 67: DENYING COMPLAINANT WALBRO LLC'S THIRD MOTION
TO AMEND THE COMPLAINT AND NOTICE OF
INVESTIGATION**

(July 10, 2019)

On June 21, 2019, Complainant Walbro, LLC ("Walbro") moved (1123-052) to amend the Complaint and Notice of Investigation to substitute "Lowe's Home Centers, LLC" for the originally named Respondent Lowe's Companies, Inc. ("LCI"). On July 3, 2019, LCI opposed the motion. The Commission Investigative Staff filed a response in support of the motion.

Having reviewed the pleadings and arguments contained therein, the undersigned finds that Walbro has not demonstrated the requisite "good cause" for amending the Complaint and Notice of Investigation, especially given the advanced stage of this Investigation. Accordingly, Walbro's motion (1123-052) is hereby denied.

SO ORDERED.



Charles E. Bullock
Chief Administrative Law Judge

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Certificate of Service – Page 1

I, Lisa R. Barton, hereby certify that the attached **ORDER NO. 67** has been served by hand upon the Commission Investigative Attorney, Vu Bui, Esq., and the following parties as indicated, on **July 10, 2019**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
500 E Street SW, Room 112
Washington, DC 20436

<u>On Behalf of Complainant Walbro, LLC:</u>	
Richard W. Hoffmann, Esq. REISING ETHINGTON, PC 755 W. Big Beaver Rd., Suite Troy, MI 48084	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<u>RESPONDENTS:</u>	
<u>On Behalf of Lowe's Companies, Inc.:</u>	
Joshua B. Pond, Esq. KILPATRICK TOWNSEND & STOCKTON LLP 607 14 TH Street, NW, Suite 900 Washington, DC 20005	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<u>On Behalf of Respondent Amazon.com, Inc.:</u>	
Stefani E. Shanberg, Esq. MORRISON & FOERSTER LLP 425 Market Street San Francisco, CA 94105	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<u>On Behalf of Respondents Techtronic Industries Co. Ltd. of Hong Kong d/b/a Techtronic Industries Power Equipment and Home Depot Product, Inc. and Home Depot U.S.A., Inc.:</u>	
Sean C. Cunningham, Esq. DLA PIPER LLP (US) 401 B Street, Suite 1700 San Diego, CA 92101	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____

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<u>On Behalf of Respondents Kmart Corporation and Sears, Roebuck and Company:</u>	
Eric S. Namrow, Esq. MORGAN, LEWIS & BOCKIUS LLP 1111 Pennsylvania Avenue, NW Washington, DC 20004-2541	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<u>On Behalf of Respondent Zhejiang Ruixing Carburetor Manufacturing Co., Ltd. and Thunderbay Products:</u>	
P. Andrew Riley, Esq. MEI & MARK LLP 818 18 th Street, NW, Suite 410 Washington, DC 20006	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<u>On Behalf of Respondent Walmart Inc.:</u>	
Rett Snotherly, Esq. LEVI & SNOTHERLY, PLLC 1101 Connecticut Avenue, NW, Suite 450 Washington, DC 20036	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<u>On Behalf of Respondent Cabela's LLC:</u>	
Kecia J. Reynolds, Esq. PHILLSBURY WINTHROP SHAW PITTMAN LLP 1200 Seventeenth St., NW Washington, DC 20036	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<u>On Behalf of Respondent Tractor Supply Company:</u>	
Daniel E. Yonan, Esq. STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 New York Avenue, NW Washington, DC 20005	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
<u>On Behalf of Respondent Menards, Inc.:</u>	
Jeffrey L. Eichen, Esq. DRINKER BIDDLE & REATH LLP 222 Delaware Avenue, Suite 1410 Wilmington, DE 19801	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____

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On Behalf of Respondent MAT Industries, LLC:	
Paul M. Bartkowski, Esq. ADDUCI, MASTRIANI & SCHAUMBERG, LLP 1133 Connecticut Ave., NW, 12 th Floor 100 Washington, DC 20036	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
Huayi Mechanical and Electrical Co., Ltd. No. 32, Xinghuo Industrial Zone, Fuding City, Fujian Province 355200, P.R. China	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
Fuding Youyi Trade Co., Ltd. No. 176, Yuhu Community, Taimushan Town, Fuding, Ningde, Fujian, 355203 China	<input type="checkbox"/> Via Hand Delivery <input type="checkbox"/> Via Express Delivery <input checked="" type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____
Feldmann Eng. & Mfg. Co., Inc. 520 Forest Avenue Sheboygan Falls, WI 53085	<input type="checkbox"/> Via Hand Delivery <input checked="" type="checkbox"/> Via Express Delivery <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Other: _____