

NOTE: This order is nonprecedential.

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

FURNITURE BRANDS INTERNATIONAL, INC.,
Plaintiff-Appellant,

v.

UNITED STATES
Defendant-Appellee,
AND

**UNITED STATES INTERNATIONAL TRADE
COMMISSION,**
Defendant-Appellee,

AND

**AMERICAN FURNITURE MANUFACTURERS
COMMITTEE FOR LEGAL TRADE AND VAUGHAN-
BASSETT FURNITURE COMPANY, INC.,**
Defendants-Appellees.

2012-1059

Appeal from the United States Court of International
Trade in case no. 07-CV-0026, Judge Timothy C. Stanceu.

ASHLEY FURNITURE INDUSTRIES, INC.,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee,

AND

**UNITED STATES INTERNATIONAL TRADE
COMMISSION,**
Defendant-Appellee,

AND

**AMERICAN FURNITURE MANUFACTURERS
COMMITTEE FOR LEGAL TRADE, KINCAID
FURNITURE CO., INC., L. & J.G. STICKLEY, INC.,
SANDBERG FURNITURE MANUFACTURING
COMPANY, INC., STANLEY FURNITURE
COMPANY, INC., T. COPELAND AND SONS, INC.,
AND VAUGHAN-BASSETT FURNITURE COMPANY,
INC.,**
Defendants-Appellees.

2012-1196

Appeal from the United States Court of International
Trade in consolidated case no. 07-CV-0323, Judge Timo-
thy C. Stanceu.

**ETHAN ALLEN GLOBAL, INC. AND ETHAN ALLEN
OPERATIONS, INC.,**
Plaintiffs-Appellants,

v.

**UNITED STATES AND UNITED STATES CUSTOMS
AND BORDER PROTECTION,**

Defendants-Appellees,

AND

INTERNATIONAL TRADE COMMISSION,

Defendant-Appellee,

AND

**KINCAID FURNITURE CO., INC., L. & J.G.
STICKLEY, INC., SANDBERG FURNITURE
MANUFACTURING COMPANY, INC., STANLEY
FURNITURE COMPANY, INC., T. COPELAND AND
SONS, INC., AND VAUGHAN-BASSETT FURNITURE
COMPANY, INC.**

Defendants-Appellees.

2012-1200

Appeal from the United States Court of International
Trade in case no. 08-CV-0302, Judge Timothy C. Stanceu.

**STANDARD FURNITURE
MANUFACTURING CO., INC.,**

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee,

AND

INTERNATIONAL TRADE COMMISSION,

Defendant-Appellee,

AND

**AMERICAN FURNITURE MANUFACTURERS
COMMITTEE FOR LEGAL TRADE, KINCAID
FURNITURE CO., INC., L. & J.G. STICKLEY, INC.,
SANDBERG FURNITURE MANUFACTURING
COMPANY, INC., STANLEY FURNITURE
COMPANY, INC., T. COPELAND AND SONS, INC.,
AND VAUGHAN-BASSETT FURNITURE COMPANY,
INC.,**
Defendants-Appellees.

2012-1230

Appeal from the United States Court of International
Trade in case no. 07-CV-0028, Judge Timothy C. Stanceu.

ON MOTION

Before BRYSON, MAYER, LINN, *Circuit Judges.*
BRYSON, *Circuit Judge.*

O R D E R

Furniture Brands International, Inc., Ashley Furniture Industries, Inc., Ethan Allen Global, Inc. et al., and Standard Furniture Manufacturing Co., Inc. each separately move for an injunction, pending appeal, to prohibit the United States from distributing funds currently being held for each appellant.

In deciding whether to grant a stay or injunction, pending appeal, this court "assesses the movant's chances of success on the merits and weighs the equities as they affect the parties and the public." *E.I. Dupont de Ne-*

mours & Co. v. Phillips Petroleum Co., 835 F.2d 277, 278 (Fed. Cir. 1987); *see also Standard Havens Prods. v. Gencor Indus.*, 897 F.2d 511 (Fed. Cir. 1990). To prevail, a movant must establish a strong likelihood of success on the merits or, failing that, must demonstrate that it has a substantial case on the merits and that the harm factors militate in its favor. *Hilton v. Braunskill*, 481 U.S. 770, 778 (1987).

Without prejudicing the ultimate disposition of these cases, and based upon the motions papers submitted, the court determines that the appellants have not met their burden.

Accordingly,

IT IS ORDERED THAT:

The motions for an injunction are denied.

FOR THE COURT

MAR 05 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Joseph W. Dorn, Esq.
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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAR 05 2012

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JAN HORBALY
CLERK