NOTE: This order is nonprecedential.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 Timothy 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.*

ORDER

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 0 5 2012
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

cc: Joseph W. Dorn, Esq.
Jeffrey S. Grimson, Esq.
Patrick V. Gallagher, Esq.
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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAR 0 5 2012

JAN HORBALY
CLERK

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