

**IN THE UNITED STATES COURT OF INTERNATIONAL TRADE
BEFORE
GARY S. KATZMANN, JUDGE, TIMOTHY REIF, JUDGE, JANE A. RESTANI, JUDGE**

AGS COMPANY AUTOMOTIVE
SOLUTIONS

Plaintiff,

v.

U.S. CUSTOMS AND BORDER
PROTECTION; RODNEY S. SCOTT, in his
official capacity as Commissions of U.S.
Customs and Border Protection; and the
UNITED STATES OF AMERICA

Defendants.

No. 25-00255

CONSENT MOTION TO CONSOLIDATE

Pursuant to Rule 42(a) of the Rules of the U.S. Court of International Trade, plaintiffs in the actions listed below respectfully move to consolidate these related cases. The parties conferred through counsel on November 13, 2025, and Defendants through counsel consented to this motion on November 14, 2025.¹

I. Related Actions

The following actions arise from the same challenged tariff measures imposed pursuant to the International Emergency Economic Powers Act (“IEEPA”) and present identical legal claims and (as explained below) requested interim relief:

1:25-cv-00246-3JP Turn5 Inc. v. U.S. Customs and Border Protection (CBP), et al

¹ The named Defendants in these cases are listed as U.S. Customs and Border Protection, Rodney Scott in his capacity and Commissioner of U.S. Border Protection, and the United States as the statutory defendant. We refer to them collectively as United States, and the U.S. Department of Justice as counsel for the United States, for purposes of this joint motion.

1:25-cv-00249-N/A Mazak Corporation v. U.S. CBP, et al

1:25-cv-00251-3JP Proterial America Ltd., et al v. U.S. CBP, et al

1:25-cv-00252-3JP Ricoh USA Inc., et al v. U.S. CBP, et al

1:25-cv-00253-3JP Standex International Corp v. U.S. CBP, et al

1:25-cv-00254-3JP Yokohama Tire Corp. v U.S. CBP, et al

1:25-cv-00255-3JP AGS Company Automotive Solutions v. U.S. CBP, et al

1:25-cv-00256-3JP Pulse Wire & Cable LLC v. U.S. CBP, et al

1:25-cv-00257-3JP Gadot America, Inc. v. U.S. CBP, et al

1:25-cv-00260-N/A Imaginings 3, Inc. v U.S. CBP, et al

1:25-cv-00262-N/A NGK Automotive Ceramics USA, Inc. v. U.S. CBP, et al

1:25-cv-00263-N/A Sumitomo Chemical America Inc. et al v. U.S. CBP, et al

1:25-cv-00264-N/A Kawasaki Motors Man’f. Corp. U.S.A. et al v. U.S. CBP, et al

1:25-cv-00266-N/A Zak Designs, Inc. v. U.S. CBP, et al

1:25-cv-00267-N/A SAM HPRP Chemicals Inc. v. U.S. CBP, et al

1:25-cv-00268-N/A Revlon Consumer Products LLC, et al v. U.S. CBP, et al

1:25-cv-00269-N/A Ferguson Enterprises, LLC, et al v. U.S. CBP, et al

1:25-cv-00270-N/A Wiesner Products Inc. et al v. U.S. CBP, et al

1:25-cv-00271-N/A Dana Automotive Systems Group, LLC, et al v. U.S. CBP, et al

1:25-cv-00274-N/A Interstate Batteries, Inc. et al v. U.S. CBP, et al

1:25-cv-00275-N/A Positec USA, Inc. et al v. U.S. CBP, et al

1:25-cv-00276-N/A Bumble Bee Foods LLC v. U.S. CBP, et al

1:25-cv-00277-N/A Valeo North America, Inc. et al v. U.S. CBP, et al

1:25-cv-00278-N/A Warren Valves LP et al v. U.S. CBP, et al

(Collectively, the “IEEPA Suspension Cases.”)

II. Grounds for Consolidation

A. Common Legal and Factual Questions

Each action challenges the same tariff measures imposed under IEEPA and asserts the same statutory and constitutional defects addressed in *V.O.S. Selections v. Donald J. Trump et al*, 149 F.4th 1312 (Fed. Cir. 2025), cert. granted, No. 25-250, 2025 WL 2601020 (U.S. Sept. 9, 2025). The complaints are materially identical in allegations, theories, and ultimate requested relief.

B. Identical Interim Objective: Suspension of Liquidation Pending VOS

Each plaintiff intends to move for a preliminary injunction suspending liquidation of covered entries. All plaintiffs seek identical interim relief to preserve their refund rights and the Court's jurisdiction while the Supreme Court considers the *VOS Selections* appeal. Without such relief, entries will likely liquidate by operation of law before that decision issues.

C. Efficiency and Consistency

Consolidation will prevent duplicative preliminary-injunction briefing, avoid inconsistent scheduling and rulings, and conserve the resources of the Court and all parties. Because the United States has consented, no prejudice exists.

III. Relief Requested

The parties jointly and respectfully request that the Court:

1. Consolidate the IEEPA Suspension Cases under USCIT Rule 42(a);
2. Designate AGS Company Automotive Solutions as Lead Plaintiff and Consolidated ("Consol.") Court No. 25-00255 as the consolidated case number for filings that apply to all consolidated cases; and
3. Grant any further relief the Court deems just and appropriate.

Respectfully submitted,

/s/ Aaron Marx

Daniel Cannistra

John B. Brew

Daniel W. Wolff

Aaron Marx

Valerie Ellis

Counsel for Plaintiffs

[PROPOSED] ORDER OF CONSOLIDATION
UNITED STATES COURT OF INTERNATIONAL TRADE
BEFORE
GARY S. KATZMANN, JUDGE, TIMOTHY REIF, JUDGE, JANE A. RESTANI, JUDGE

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Plaintiff,

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Defendants.

No. 25-00255

ORDER

Upon consideration of the Joint Consent Motion to Consolidate filed by the parties in the actions listed therein, and all other pertinent papers, and upon consent of the United States, it is hereby:

ORDERED that the Joint Motion is GRANTED; and it is further

ORDERED that the following actions are consolidated pursuant to USCIT Rule 42(a):

1:25-cv-00246-3JP Turn5 Inc. v. U.S. Customs and Border Protection (CBP), et al

1:25-cv-00249-N/A Mazak Corporation v. U.S. CBP, et al

1:25-cv-00251-3JP Proterial America Ltd., et al v. U.S. CBP, et al

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1:25-cv-00256-3JP Pulse Wire & Cable LLC v. U.S. CBP, et al
1:25-cv-00257-3JP Gadot America, Inc. v. U.S. CBP, et al
1:25-cv-00260-N/A Imaginings 3, Inc. v U.S. CBP, et al
1:25-cv-00262-N/A NGK Automotive Ceramics USA, Inc. v. U.S. CBP, et al
1:25-cv-00263-N/A Sumitomo Chemical America Inc. et al v. U.S. CBP, et al
1:25-cv-00264-N/A Kawasaki Motors Man’f. Corp. U.S.A. et al v. U.S. CBP, et al
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1:25-cv-00268-N/A Revlon Consumer Products LLC, et al v. U.S. CBP, et al
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1:25-cv-00271-N/A Dana Automotive Systems Group, LLC, et al v. U.S. CBP, et al
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1:25-cv-00278-N/A Warren Valves LP et al v. U.S. CBP, et al

(Collectively, the “IEEPA Suspension Cases.”)

and it is further

ORDERED that AGS Company Automotive Solutions shall be Lead Plaintiff and Consol. Court No. 25-00255 shall be the consolidated case number for filings that apply to all consolidated cases; and it is further

ORDERED that the consolidated actions shall proceed under such further orders as the Court may issue.

SO ORDERED.

Dated: _____

New York, NY

[Judge Assigned]

Judge, U.S. Court of International Trade