

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HORIZON LINES, LLC,

Plaintiff,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants,

and

AMERICAN SEAFOODS COMPANY LLC,

Defendant-Intervenor.

Civil Action No. 05-0952 (ESH)

**ORDER**

\_\_\_\_\_ For the reasons stated in the accompanying Memorandum Opinion, it is hereby

**ORDERED** that plaintiff's Motion for Summary Judgment [#16 ] is **GRANTED**; and it is

**FURTHER ORDERED** that defendants' Cross Motion for Summary Judgment [#21] is **DENIED**; and it is

**FURTHER ORDERED** that defendant-intervenor's Motion to Dismiss For Lack of Subject Matter Jurisdiction [#22] and Cross Motion for Summary Judgment [#23] are **DENIED**; and it is

**FURTHER ORDERED** that this case is remanded to CBP for further proceedings consistent with the Court's Memorandum Opinion issued this date.

s/  
ELLEN SEGAL HUVELLE  
United States District Judge

Date: February 10, 2006