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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	Docket Nos. 19-J-0151
	)	19-J-0152
Resolute FP US, Inc., and	)	
Resolute FP Augusta LLC,	)	
	)	Decision without Hearing
Respondents.	)	By Reason of Consent

This proceeding was instituted under the Commodity Promotion, Research, and Information Act of 1996, 7 U.S.C. §§ 7411-7425 (1996 Act), by a Complaint filed by the Administrator of the Agricultural Marketing Service, United States Department of Agriculture (AMS), on September 18, 2019, alleging that, pursuant to the 1996 Act, the respondents violated the Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order, 7 C.F.R. §§ 1217.1 - 1217.520 (Softwood Lumber Order).

Resolute FP US, Inc., and Resolute FP Augusta LLC (Respondents) and the United States Department of Agriculture (USDA) (collectively, the "parties") wish to settle this proceeding under the terms and conditions of the Settlement Agreement attached hereto as Exhibit 1.

The parties have agreed to the entry of a Consent Decision and Order as set forth herein. Therefore, this Consent Decision and Order is entered without further procedure or hearing pursuant to the consent decision provisions (7 C.F.R. §1.138) of the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes (Rules of Practice) (7 C.F.R. § 1.130 et seq.) applicable to this proceeding.

Jurisdictional Facts

1. Respondent Resolute FP US, Inc. is a Delaware corporation whose registered agent for service of process is The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

2. Respondent Resolute FP Augusta LLC is a Delaware limited liability company whose registered agent for service of process is The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

3. The Secretary has jurisdiction to enter a Consent Decision and Order in this proceeding.

4. At all times material herein, Resolute FP U.S., Inc.:

a. Was an importer of softwood lumber as defined in the 1996 Act, 7 U.S.C. § 7412(6), and the Softwood Lumber Order, 7 C.F.R. § 1217.11; and

b. Imported softwood lumber using importer number 62-072180300 as assigned by U.S. Customs and Border Protection.

5. As of the date of the filing of the Complaint, USDA alleged that Respondent Resolute FP Augusta owed a total of $71,688.65 in assessments to the Softwood Lumber Board.

6. As of the date of the filing of the Complaint, USDA alleged that Respondent Resolute FP U.S., Inc. owed a total of $434,020.65 in assessments to the Softwood Lumber Board.

7. Respondents have paid to the Softwood Lumber Board $786,027.37 in assessments, $35,460.57 in late fees, and $66,938.75 in interest, and USDA and the Respondents have agreed that this payment satisfies all USDA claims for assessments due from Respondents prior to calendar year 2020, including corresponding interest, late payment fees or penalties.

8. The parties have agreed to waive oral hearing and any further procedures in this proceeding as well as all rights to seek judicial review and otherwise challenge or contest the validity of this Consent Decision and Order.

Order

WHEREFORE, in accordance with the factual findings above and the settlement terms agreed between USDA and Respondents, USDA's claims have been satisfied and these proceedings are terminated. This Order shall have the same force and effect as if entered after a full hearing. The provisions of this Order shall become effective upon issuance. Consent Decision and Order will be served upon the parties.

[redacted]

Resolute FP Augusta
Respondent

[redacted]

Resolute FP U.S., Inc.
Respondent

[redacted]

Lauren E. Becker
Attorney for Complainant

Done at Washington, D.C.
this 19th day of March, 2020

[redacted]

Channing D. Strother
Chief Administrative Law Judge