

International Trade Group Of The Year: Buchanan Ingersoll

By Aaron West

Law360 (February 26, 2024, 4:17 PM EST) -- Buchanan Ingersoll & Rooney PC's international trade practice scored crucial wins last year, shepherding bet-the-company deals through national security reviews and challenging unlawful dumping practices, earning it a spot among Law360's 2023 International Trade Groups of the Year.

The group racked up several victories in 2023, including in an antidumping case against the lemon juice industry. Led by Dan Pickard, the practice — while new — has demonstrated it is willing to partner with clients when it comes to innovative approaches to litigating cases, Pickard said.

"I think it comes from a deep level of trust and putting all of the facts and the options and a frank assessment in front of the client, because ultimately, they have to make that decision," he told Law360, noting this kind of relationship played an especially important role in a case over rail couplers.

One of the most important, high-profile international trade cases of 2023, Buchanan said the practice group notched a key victory for domestic freight rail-coupler manufacturers to combat unfairly priced imports from China.

In June 2023, the U.S. International Trade Commission announced its affirmative decision that the domestic industry had been materially injured by certain imports of freight rail couplers and other parts from China that the U.S. Department of Commerce determined are sold at less than fair value due to subsidies.

Buchanan filed the case in September 2022 on behalf of the Coalition of Freight Rail Coupler Producers to ensure U.S. rail-coupler manufacturers have an equal opportunity to compete with China. Couplers, which connect freight rail cars together, play a critical role in U.S. commerce, making this a case that affects hundreds of millions of dollars in trade, with national security implications as well.

As a result of Buchanan's work, the Department of Commerce issued antidumping and countervailing duty orders on the imports from China.

"This was a particularly savvy domestic industry, and at the same time, they were in desperate need of relief," Pickard said. "And I suppose it's a nice thing when the trust flows both ways that they made a decision that they trusted Buchanan and our ability to get them [to] their objective, which was to then



get trade relief against both China and Mexico. And it's proving to be incredibly beneficial for both the U.S. manufacturers and workers throughout the East Coast in the Midwest."

Buchanan Ingersoll is also growing. In 2023, the firm continued to expand its international trade and national security practice by hiring Jacob Garten, a former international trade compliance analyst at the U.S. Department of Commerce, along with other additions.

As the fastest-growing international trade practice in the nation, Buchanan's group represents the interests of U.S.-based companies and manufacturing associations, helping them to obtain relief against unfairly priced imports.

On the heels of a suspension agreement victory at the ITC, affecting more than \$65 million in trade per year, Buchanan obtained another major antidumping win on behalf of the domestic lemon juice industry. In January 2023, the ITC gave its final affirmative determinations in antidumping duty investigations concerning lemon juice from Brazil and South Africa.

The decision exposed the unfair pricing of those imports and allowed antidumping duty orders to offset this. The ITC's determination was unanimous, with all five commissioners voting in the affirmative. Commerce issued an antidumping order on Feb. 6, 2023.

Pickard, who is a recognized thought leader as to international trade policy — serving as a cleared adviser to the U.S. Trade Representative and the U.S. Department of Commerce — said the work the practice group is doing is important not just for the firm and the industry, but for the nation as well.

"Building this team has been one of the highlights of my career, and the professionals in this group are the main driver of our success this year," said Pickard. "The results of these cases are critical to keeping industries and jobs in the United States, and we are immensely proud to help protect domestic industries."

--Editing by Philip Shea.

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