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Areas of Practice

International Trade &
Investment

China

International Trade
Litigation

International Trade Policy
& Negotiations

Customs

Education

University of Virginia
School of Law, J.D., 1991,
Executive Editor, *Virginia
Journal of International Law*

University of Iowa, B.A.,
with honors and with
distinction, 1986, Phi Beta
Kappa

Bar & Court Admissions

District of Columbia

Illinois

Eric C. Emerson

Eric Emerson is Managing Partner of Steptoe’s Beijing office and a partner in Steptoe’s International Trade and China practices. He helps companies remain competitive in the marketplace when facing challenges that threaten to disrupt the flow of trade.

International Trade Litigation

Mr. Emerson specializes in representing U.S. and foreign clients in all types of administrative proceedings before the U.S. Department of Commerce (“DOC”) and the U.S. International Trade Commission (“ITC”). His most significant representations include:

- Representing the sole U.S. producer of enriched uranium for more than 15 years in a variety of antidumping and countervailing proceedings against imports of enriched uranium from Russia and Western Europe, culminating in a 9-0 victory in the first antidumping duty decision ever issued by the U.S. Supreme Court. *United States v. Eurodif, S.A.*, 129 S.Ct. 878 (2009).
- Obtaining the lowest dumping margin for any producer in the Frozen Warmwater Shrimp from Thailand antidumping duty investigation and first administrative review.
- Representing one of the largest Chinese producers of wooden bedroom furniture in the most complex and extensive non-market economy antidumping investigation to date.

In his 17 year career, Mr. Emerson has represented clients in a wide range of industries, including steel, uranium, seafood, paper, non-ferrous metals, capital equipment and consumer goods. In addition to representing U.S. companies in trade proceedings, he has worked with companies in Japan, Canada, China, Thailand, Korea, Trinidad, Germany, the Netherlands and the United Kingdom.

In addition to representing companies before U.S. trade agencies, Mr. Emerson also represents clients in litigation before U.S. courts. In some cases, he represents clients in challenges of DOC and ITC decisions before the U.S. Court of International Trade and the U.S. Court of Appeals for the Federal Circuit. He has presented arguments before these courts on numerous occasions, and has succeeded in obtaining favorable outcomes for his clients in complex cases.

Mr. Emerson also represents clients in other types of federal civil litigation on international trade matters. For example, Mr. Emerson represents a group of seafood importers in a case challenging a discriminatory bonding policy imposed by U.S. Customs and Border Protection, and was successful in obtaining a preliminary injunction on behalf of his importer clients. Mr. Emerson also

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represented a leading Japanese manufacturer in the only case ever litigated under the now repealed Antidumping Act of 1916.

For companies subject to antidumping or countervailing duty orders or threatened with such cases, Mr. Emerson provides advice on ways in which those companies can remain competitive in the U.S. market while at the same time minimizing their potential liability. In doing so, he has helped to develop computerized pricing models that allow companies to calculate target U.S. prices so as to minimize their liability.

International Trade Policy & Strategy

Mr. Emerson advises clients on ways to resolve trade issues through means other than litigation. In these matters, Mr. Emerson helps clients find solutions by working with the U.S. Congress and with Executive Branch agencies responsible for international trade matters, such as the DOC, the Office of the United States Trade Representative and the U.S. Department of State. In these matters, Mr. Emerson works with Steptoe's Government Affairs & Public Policy practice in developing successful solutions for the firm's clients.

Prior to entering law school, Mr. Emerson served as a Legislative Assistant to the late Senator Paul Simon in the area of international trade and manufacturing.

WTO

As part of his trade remedy litigation practice, Mr. Emerson advises clients on their rights and obligations under the various WTO Agreements. He also participates in the firm's *pro bono* representation of the Cordell Hull Institute, a not-for-profit organization dedicated to facilitating and advancing the current Doha Round of trade negotiations and to strengthening the multilateral trading system.

Customs Compliance

Mr. Emerson has represented companies involved in a wide range of matters before U.S. Customs and Border Protection ("CBP"), such as tariff classification requests, protests and audits by CBP. He has also advised clients on practices to meet the "reasonable care" standards required by CBP. Mr. Emerson also assists clients whose entries are subject to antidumping and countervailing duties to ensure that their entries are appropriately addressed by CBP.

Pro Bono

In addition to his work with the Cordell Hull Institute, Mr. Emerson takes part in the firm's broad-based effort to assist organizations involved in the fight against child trafficking. In this matter, Mr. Emerson has participated in efforts

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to change federal legislation to make it easier for victims of human trafficking to obtain benefits and support from the U.S. government.

Noteworthy

- Noted, *Chambers Global 2011, The World's Leading Lawyers for Business*, International Trade/WTO: Global
- Ranked, *Chambers Global 2010, The World's Leading Lawyers for Business*, International Trade: International Firms (Asia-wide)
- Ranked, *Chambers Global 2007, The World's Leading Lawyers for Business*, WTO/International Trade: USA: Trade Remedies & Trade Policy
- Ranked, *Chambers USA 2006, America's Leading Business Lawyers*; National International Trade: Trade Remedies & Trade Policy
- *Euromoney's* Expert Guide to the World's Leading International Trade Lawyers (2008, 2010)

Select Seminars & Events

"Opportunities for Vietnam Under Regional Free Trade Agreements" US Trade Policy: Implications for Vietnam, November 11, 2010

"Trans-Pacific Partnership Negotiations," GRAC Meeting, November 10, 2010

The End of Quotas: What You Can Do to Prepare for US Trade Actions, May 29, 2008

Apparel & Textile Trade After 2008: Trade Remedies in a Post-Quota World, March 11, 2008, *Now That You Know What's Coming, How Can You Prepare?*

Trade Remedies in Regional Trade Agreements, October 17, 2007

Selected Publications

Trans-Pacific Potential, and Pitfalls
November 27, 2010, *The Wall Street Journal Asia*

International Law Advisory - New US, UN, and European Sanctions on Iran
June 28, 2010

Obama's Section 421 Decision on Tires Lauded by U.S. Apparel Industry
September 16, 2009, *Apparel Industry Alert*

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Apparel Industry Alert - Antidumping and Countervailing Duty Case Filed
Against Woven Ribbon from China
July 15, 2009

The Gathering Storm: Preparing for Trade Remedy Cases
May 5, 2009, *China Business Review*

USTR Files WTO Challenge Against Chinese Famous Brand Programs
December 19, 2008

Trade Remedy Provisions in Regional Trade Agreements
Asia Pacific Forum News, a publication of the International Bar Association
July 2008

Apparel Industry Alert - The End of Quotas: What Chinese Companies Can Do
to Prepare for US Trade Actions
June 12, 2008