

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

_____	)	
STEVES AND SONS, INC.,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 3:16-cv-545-REP
v.	)	
	)	
JELD-WEN, INC.,	)	
	)	
Defendant.	)	
_____	)	

**PLAINTIFF STEVES AND SONS, INC.’S  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Fed. R. Civ. P. 56(a) & (g), Plaintiff Steves and Sons, Inc. (“Steves”) respectfully moves for an order granting partial summary judgment, ruling that Steves has established its prima facie case that the 2012 merger between defendant JELD-WEN, Inc. (“JELD-WEN”) and CraftMaster Manufacturing, Inc. (“CraftMaster”) is likely to substantially lessen competition under Section 7 of the Clayton Act, 15 U.S.C. § 18 (1996), and is entitled to a presumption that the merger was anticompetitive.

For the reasons set forth in the accompanying Memorandum in Support, the grounds for this motion are as follows:

1. Undisputed evidence establishes the relevant market definition for purposes of Steves’ prima facie case.
2. Undisputed evidence establishes the market shares in the relevant market for purposes of Steves’ prima facie cases.

3. Undisputed evidence establishes that the 2012 JELD-WEN/CraftMaster merger led to an increase in market concentration sufficient to establish Steves' prima facie case and trigger a presumption of anticompetitive effects.

Therefore, Steves respectfully requests that the Court grant partial summary judgment, ruling that Steves has established its prima facie case and is entitled to a presumption that the merger was anticompetitive. In the alternative, Steves respectfully requests that the Court enter partial summary adjudication as to the undisputed facts listed in Steves' statement of undisputed facts.

Dated: September 22, 2017

Respectfully submitted,

**STEVES AND SONS, INC.**

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 22, 2017, I caused a copy of the foregoing to be electronically filed using the CM/ECF system, which will send notification to counsel of record of such filing by operation of the Court's electronic system. Parties may access this filing via the Court's electronic system.

By /s/Lewis F. Powell III  
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