

COMPROMISE AGREEMENT
FMC File No. 17152

This Agreement is entered into between:

- (1) The Federal Maritime Commission, hereinafter referred to as Commission, and
- (2) Orient Star Transport International, Ltd., hereinafter referred to as Respondent.

WHEREAS, the Commission is considering the initiation of an assessment proceeding against Respondent for the recovery of civil penalties for alleged violations of sections 10(a)(1) and (b)(2) of the Shipping Act of 1984, 46 U.S.C. §§ 41102 (a) and 41104 (b)(2), et seq., as well as the regulations issued pursuant thereto; and

WHEREAS, such a proceeding would be based on the Commission's allegation that Respondent engaged in certain practices, to wit:

Respondent knowingly and willfully obtained ocean transportation for property at less than the rates and charges that would otherwise be applicable by unlawfully accessing named shipper accounts; and, Respondent provided service in a liner trade that was not in accordance with the rates and charges contained in a published tariff or service contract.

WHEREAS, the Commission is authorized under section 13(c) of the 1984 Act, 46 U.S.C. § 41109(c), and Subpart W of the Commission's Rules of Practice and Procedure, 46 C.F.R. § 502.604, et seq. to compromise and collect civil penalties arising for the alleged violations set forth and described above; and

WHEREAS, Respondent has terminated the practices which are the basis of the alleged violations set forth herein, and has committed to maintaining measures designed to eliminate such practices in the future; and

WHEREAS, Respondent has cooperated and disclosed to the Commission information, facts and documents relevant to its transportation activities and practices; and

WHEREAS, Respondent has agreed to cooperate with respect to investigative activity or enforcement action conducted by the Commission regarding the transportation activities identified by the Commission or disclosed by Respondent giving rise to the alleged violations herein.

NOW THEREFORE, in consideration of the premises herein, and in compromise of all civil penalties arising from the alleged violations set forth and described herein, Respondent and the Commission hereby agree upon the following terms of settlement:

1. Respondent shall make payment to the Commission by cashier's check in the total amount of \$135,000.
2. This instrument shall forever bar the commencement or institution of any assessment proceeding or other claim for recovery of civil penalties from Respondent, its officers, directors or employees arising from the alleged violations set forth above that occurred between July 14, 2014 and December 16, 2014.
3. It is expressly understood that this Agreement is not, and is not to be construed as, an admission by Respondent to the alleged violations set forth above.

4. This agreement is subject to approval by the Commission's Managing Director in accordance with 46 C.F.R. § 502.604.

Orient Star International, Inc.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

APPROVAL AND ACCEPTANCE

The above Terms and Conditions and Amount of Consideration are hereby approved and accepted:

By the Federal Maritime Commission:

Peter J. King, Director (Date)
Bureau of Enforcement

Vern W. Hill (Date)
Managing Director