

COMPROMISE AGREEMENT
FMC File No. 17122

This Compromise Agreement is entered into between:

- (1) the Federal Maritime Commission (Commission); and
- (2) American Global Logistics, LLC (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 10(b)(2) of the Shipping Act of 1984 (Shipping Act), 46 U.S.C. §§ 41102(a) and 41104(b) (2) as well as the Commission's regulations issued pursuant thereto; and

WHEREAS, such proceeding would be based on Commission allegations that Respondent engaged in certain practices violative of the Shipping Act, to wit:

Between January 1, 2012 and August 30, 2014, Respondent knowingly and willfully obtained ocean transportation for property at less than the rates or charges that would otherwise be applicable by the device or means of unlawfully accessing service contracts to which it was neither a contract signatory nor a named affiliate. The service contracts Respondent accessed were those to which SeaMaster Logistics, Inc., SeaMaster Global Forwarding (HK) Limited or Toll Global Forwarding (Hong Kong) Limited were contract signatories, or were entitled to ship cargo thereunder as a named affiliate of a signatory. The vessel operating common carrier signatories to the Toll Global/SeaMaster service contracts that were accessed by Respondent include United Arab Shipping Company, S.A.G., COSCO Container Lines Company Limited (COSCO), Evergreen Line.

Between December 30, 2012 and August 30, 2014, Respondent knowingly and willfully obtained ocean transportation for property at less than the rates or charges that would otherwise be applicable by the device or means of unlawfully accessing service contracts of One World Shippers Association, Inc. to which Respondent was neither a contract signatory nor a member of the association. The vessel-operating common carrier signatories to the One World

Shipper Association service contracts include China Shipping Container Lines Co., Ltd, ZIM, NYK Lines.

Between June 30, 2012 and August 30, 2014, Respondent knowingly and willfully obtained ocean transportation for property at less than the rates or charges that would otherwise be applicable by the device or means of unlawfully accessing service contracts of Leggett and Platt Shippers Association to which Respondent was neither a contract signatory nor a member of the association. The vessel operating common carrier signatories to the Leggett and Platt Shippers Association service contracts include Evergreen, and Yang Ming Marine Transport Corp.

With respect to the shipments made between January 1, 2012 and August 30, 2014, Respondent also provided service in a liner trade to its customers that were not in accordance with the rates and charges that would otherwise apply.

WHEREAS, the Commission is authorized under section 13(c) of the Shipping Act, 46 U.S.C. § 41109 (a)-(b), and Subpart W of the Commission's Rules of Practice and Procedure, 46 C.F.R. § 502.601 – 502.605, to compromise and collect civil penalties arising for the alleged violations set forth and described above; and,

WHEREAS, Respondent has terminated the alleged practices that 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 in good faith and fully disclosed to the Commission information, facts, and documents relevant to their transportation activities and practices; and,

NOW THEREFORE, in consideration of the premises herein, and in compromise of all civil penalties arising from the Commission's investigation of Respondent for the alleged

violations, Respondent and the Commission hereby agree upon the following terms of compromise and settlement:

1. Respondent shall make payment on or before January 19, 2016 to the Commission by a bank or cashier's check in the total amount of \$350,000.
2. This Compromise Agreement shall forever bar the commencement or institution of any assessment proceeding or other claim for recovery of civil penalties from Respondent, its officers, directors, employees, or agents arising from the Commission's investigation of Respondent for the alleged violations set forth above which occurred between December 30, 2012 and August 30, 2014 and which have been separately disclosed by AGL.
3. Respondent has further agreed to provide additional cooperation to the Commission with respect to such investigative and enforcement efforts pertaining to its relationship(s) with SeaMaster Logistics, Inc., (including Seamaster Global Forwarding (HK) Limited, Toll Global Forwarding (Hong Kong) Limited, and related entities), One World Shippers Association, Inc., Leggett and Platt Shippers Association and such other shipper associations and entities whose service contracts AGL also accessed and have been separately disclosed. Such cooperation shall include furnishing documents in Respondent's possession, identifying relevant personnel, and providing explanatory information or testimony as may be required by the Commission.
4. It is expressly understood that this Compromise Agreement is not, and is not to be construed as, an admission by Respondent to the alleged violations set forth above.
5. This agreement is subject to approval by the Commission's Managing Director in

accordance with 46 C.F.R. § 502.604.

American Global Logistics, LLC

Signature: _____

Printed Name: _____

Title: _____

Date: _____

APPROVAL AND ACCEPTANCE OF COMPROMISE AGREEMENT

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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