

COMPROMISE AGREEMENT
FMC File No. 17191

This Compromise Agreement is entered into between:

- (1) the Federal Maritime Commission (Commission); and
- (2) Pacific International Import Export, 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 8(a)(1) and 19(a) and (b) of the Shipping Act of 1984 (Shipping Act), 46 U.S.C. §§ 40501, 40901 and 40902, and the Commission's regulations issued pursuant thereto; and

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

Respondent provided ocean transportation intermediary (OTI) services in the U.S. foreign trades without obtaining an OTI license from the Commission, furnishing an OTI bond, and without publishing and keeping open for public inspection tariffs showing its rates and charges for its transportation services.

WHEREAS, the Commission is authorized under section 13(c) of the Shipping Act, 46 U.S.C. § 41109(c), 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 for the alleged violations set forth and described above; and,

WHEREAS, Respondent terminated the practice that was the basis of the alleged violation set forth herein, and has committed to maintain measures designed to eliminate such practice in the future; and,

WHEREAS, Respondent cooperated in the investigation and provided to the Commission information, facts, and documents relevant to its 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 set forth above 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 or certified check in the amount of \$30,000.
2. This Compromise Agreement shall forever bar the commencement or institution of any assessment proceeding or other claim of recovery of civil penalties from Respondent, its officers, directors, or employees arising from the Commission's investigation of Respondent for the alleged violations set forth above occurring between May 15, 2012 and January 18, 2016.
3. 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.
4. This agreement is subject to approval by the Commission's Managing Director in accordance with 46 C.F.R. § 502.604.

Pacific International Import Export, 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:

Brian L. Troiano, Deputy Director (Date)
Bureau of Enforcement

Karen V. Gregory (Date)
Managing Director