

ORIGINAL

(S E R V E D)  
( NOVEMBER 30, 2010 )  
(FEDERAL MARITIME COMMISSION)

**FEDERAL MARITIME COMMISSION**

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**DOCKET NO. 10-11**

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**SMART GARMENTS**

**v.**

**WORLDLINK LOGIX SERVICES INC.**

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**NOTICE OF FILING OF COMPLAINT AND ASSIGNMENT**

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Notice is given that a complaint has been filed with the Federal Maritime Commission ("Commission") by Smart Garments ("SG"), hereinafter "Complainant," against WORLDLINK LOGIX SERVICE, INC. ("WLLS"). Complainant asserts that it is a "registered partnership firm duly under Indian Law" and a manufacturer and exporter of garments. Complainant alleges that Respondent WLLS is a "freight forwarder/common carrier" incorporated in New York and licensed by the Commission.

Complainant states that it engaged Respondent as "a shipping agency" to ship two containers from Chennai, India to New York and that the cargo was delivered. Complainant alleges that such deliveries "were to be made by WLLS to the buyer, only after surrender of the original Bill of Lading." Complainant further alleges that the "consignments were wrongfully delivered to the buyer [by WLLS], without receiving the

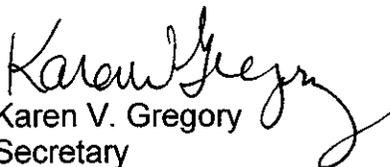
endorsed Bill of Lading...” Complainant asserts that the “the shipment is still unpaid.”

Complainant alleges that Respondents violated the Shipping Act of 1984 by: (1) giving information about the shipment without the consent of the shipper; and (2) “releasing the goods without original Bill of Lading with malafide intention to cheat and defraud”; and by doing so knowingly disclosed information about the shipment without consent of the shipper and to its detriment and failed to observe and enforce just and reasonable practices relating to or connected with the receiving, handling, sorting or delivering property in violation of Sections 10(b)(13) and 10(d)(1) of the Shipping Act, 46 U.S.C. §§ 41103(a) and 41102(c). Complainant asserts that as a result of the unpaid shipment, it is “losing goodwill, business opportunities and loss of further orders from our prospective customers and bankers.”

Complainant seeks reparations for its lost payment, “interest on investments for past 8 [m]onths”, “[d]amages toward loss of [b]usiness, [g]oodwill and [o]pportunities”, and “[c]ompensation for mental agony.” Complainant asks the Commission to order reparations in the amount of \$84,594, and to impose any other relief as the Commission determines to be proper, fair, and just.

This proceeding has been assigned to the Office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 C.F.R. 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the

nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 C.F.R. 502.61, the initial decision of the presiding officer in this proceeding shall be issued by November 30, 2011 and the final decision of the Commission shall be issued by March 29, 2012

  
Karen V. Gregory  
Secretary



## FEDERAL MARITIME COMMISSION

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November 30, 2010

Worldlink Logix Services Inc.  
33 Wood Avenue, South #600  
Iselin, NJ 08830

RE: Docket No. 10-11 - Smart Garments v. Worldlink Logix Services Inc.

Dear Gentlemen:

Enclosed is a copy of the above-numbered complaint in which Worldlink Logix Services Inc. has been named respondent.

An answer to the complaint is due to be filed with the Commission within twenty (20) days after the date of service stamped on the complaint, unless additional time is permitted under Rule 64 of the Commission's Rules of Practice and Procedure. See also Rules 2, 41, 42, 101 and 111 to 118.

Very truly yours,

A handwritten signature in black ink that reads "Karen V. Gregory". The signature is written in a cursive style with a large, looped "G" at the end.

Karen V. Gregory  
Secretary

Enclosure  
cc: Office of Administrative Law Judges