



LAW OFFICES OF RICHARD P. MORRISON

41 Mink Street, Resmini Building, Seekonk, MA 02771

Ph: 508-336-5297 (LAWS)

Fax: 508-336-8862

rpm@morrisonlawoffices.com

RECEIVED

SEP 27 2011

OFFICE OF THE SECRETARY
FEDERAL MARITIME COMMISSION

September 23, 2011

The Honorable Clay G. Guthridge
Office of Administrative Law Judges
800 North Capitol St., N.W.
Washington, D.C. 20573
Office 202 523-5750
Fax 202 566-0042
Email judges@fmc.gov

Dear Judge Guthridge:

Pursuant to your order please find my clients. Atlantic Shipping Company, Inc. sworn amended complaint for your review. An original and fifteen copies have been provided.

Sincerely,

Richard P. Morrison, Esquire

rpm/mrm
enclosures

ORIGINAL

FEDERAL MARITIME COMMISSION

11-13

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OFFICE OF THE SECRETARY
FEDERAL MARITIME COMMISSION

ATLANTIC SHIPPING COMPANY, INC.

v.

DI NOS SHIPPING, INC.



SWORN AMENDED COMPLAINT

1. This Commission has jurisdiction of this complaint under the Shipping Act of 1984.

2. Venue in the District of Massachusetts is proper in that Plaintiff and Defendant are both based in Massachusetts and the conduct complained of took place within the District of Massachusetts.

3. Plaintiff, Atlantic Shipping Company, Inc. ("Atlantic"), is a Massachusetts corporation with a principle place of business in Fall River, Massachusetts.

4. Atlantic is a, duly licensed Vessel Operating Common Carrier by the Federal Maritime Commission.

5. Defendant, DI Nos Shipping, Inc., ("DI Nos") is a Massachusetts corporation having a principle place of business in Brockton, Massachusetts.

6. Upon information and belief, DI Nos is acting as a freight forwarder and or Non Vessel Operating Common Carrier in the southeastern Massachusetts area.

7. Upon information and belief, DI Nos is not licensed by the Federal Maritime Commission required by 46 USC 40901 and 46 USC 40902 therefore in violation of said requirements.

8. Atlantic's relationships with its customers are governed by a standard contract, known as a dock receipt and bill of lading, a true copy of which is annexed hereto as Exhibit A.

9. Atlantic has used this distinctive form for many years, and has incurred legal fees in connection with the drafting and refinement thereof.

10. Upon information and belief, DI Nos uses the form of dock receipt and bill of lading annexed hereto as Exhibit B.

11. DI Nos form is deceptively similar to that used by Atlantic.

12. DI Nos form was copied from Atlantic's form as to typography, layout and content, with the intent of confusing potential customers.

13. Atlantic has been an incorporated business since 1995.

14. DI Nos was incorporated in August 2010.

15. DI Nos has often in the southern Massachusetts area, advertised on local radio stations, advertised on local television stations and distributes flyers advertising their shipping business to Cape Verde.

16. DI Nos receives cargo from various customers issues a Dock Receipt (which is before your Honor) and then in turn ships the cargo to Cape Verde.

17. Upon information and belief the flyer attached Exhibit "C" is one of the types of flyers DI Nos distributes advertising and promoting their shipping business.

WHEREFORE, the Plaintiff prays for the following relief.

1. An order enjoining the Defendant, temporarily, preliminarily and permanently from operating as an ocean transportation intermediary and or Non Vessel Operating Common Carrier without appropriate licensing and bonding;

2. An order enjoining the Defendant, temporarily, preliminarily and permanently from operating using its current form of dock receipt and bill of lading

Plaintiff,
Atlantic Shipping Co., Inc.,
By its attorneys,
Law Office of Richard P. Morrison

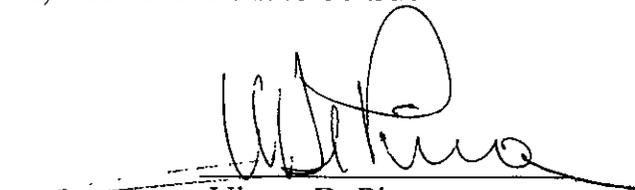


Richard P. Morrison
BBO# (646854)
41 Mink Street
Seekonk, Massachusetts 02771
(508) 336-5297
(508) 336-8862
rpm@morrisonlawoffices.com

VERIFICATION

VICTOR DE PINA, DULY SWORN, DEPOSES AND SAYS:

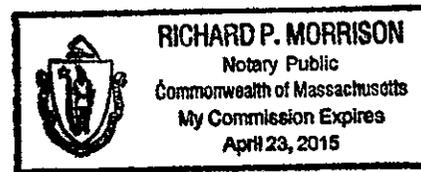
1. I am the president of the plaintiff corporation, Atlantic Shipping Co., Inc., am familiar with the books and records of the said corporation, am familiar with the transactions that form the basis of the complaint and make this affidavit of my own personal knowledge as well as my familiarity with the aforementioned books and records.
2. I have read the within Verified Complaint;
3. The allegations contained therein are true to the best of my knowledge, except for those items alleged upon information and belief and, as to those items, I believe them to be true



Victor DePina
President
Atlantic Shipping Company, Inc.

Commonwealth of Massachusetts
County of Bristol ss.:

Sworn to before me this 23rd day of September, 2011.



Notary Public
Richard P. Morrison



DINÓ'S SHIPPING CORP

- * **Wholesale**
- * **Specialty**
- * **General**
- * **Express**

(774) 444-6696 (508) 726-5127

58 Intervale St Brockton, MA

Handwritten notes: "DINÓ'S SHIPPING CORP"

Handwritten notes: "11 11 11"



FEDERAL MARITIME COMMISSION

Office of the Secretary
800 North Capitol Street, N.W.
Washington, DC 20573-0001

Phone: (202) 523-5725
Fax: (202) 523-0014
E-mail: Secretary@fmc.gov

September 29, 2011

Richard P. Morrison, Esq.
Law Offices of Richard P. Morrison
41 Mink Street, Resmini Building
Seekonk, MA 02771

Re: Docket No. 11-13 - Atlantic Shipping Company, Inc. v. Di Nos Shipping, Inc.

Dear Mr. Morrison:

This is to advise that the sworn amended complaint which you filed on behalf of Atlantic Shipping Company, Inc., assigned Docket No. 11-13 was served upon Respondent on September 29, 2011.

Pursuant to the Administrative Law Judge's September 22, 2011 Order to Show Cause, Respondent may file an answer to the amended complaint on or before October 7, 2011.

Sincerely,

A handwritten signature in cursive script, appearing to read "Karen V. Gregory".

Karen V. Gregory
Secretary

cc: Office of Administrative Law Judge



FEDERAL MARITIME COMMISSION

Office of the Secretary
800 North Capitol Street, N.W.
Washington, DC 20573-0001

Phone: (202) 523-5725
Fax: (202) 523-0014
E-mail: Secretary@fmc.gov

September 29, 2011

Di Nos Shipping, Inc.
58 Interval Street
Brockton, MA 02302

Re: Docket No. 11-13 - Atlantic Shipping Company, Inc. v. Di Nos Shipping, Inc.

Dear Gentlemen:

Enclosed is a copy of an amended complaint in the above-numbered docket in which Di Nos Shipping, Inc. has been named respondent.

Pursuant to the Administrative Law Judge's September 22, 2011 Order to Show Cause, respondent may serve and file its answer on or before October 7, 2011.

Sincerely,

A handwritten signature in cursive script that reads "Karen V. Gregory".

Karen V. Gregory
Secretary

Enclosure

cc: Office of Administrative Law Judge

UPS CampusShip: View/Print Label

1. **Print the label(s):** Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
2. **Fold the printed label at the solid line below.** Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

3. GETTING YOUR SHIPMENT TO UPS

Customers without a Daily Pickup

Schedule a same day or future day Pickup to have a UPS driver pickup all your CampusShip packages.

Hand the package to any UPS driver in your area.

Take your package to any location of The UPS Store®, UPS Drop Box, UPS Customer Center, UPS Alliances (Office Depot® or Staples®) or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the Resources area of CampusShip and select UPS Locations.

Customers with a Daily Pickup

Your driver will pickup your shipment(s) as usual.

FOLD HERE

<p>MAGDALENE GRANT 202-523-5760 FEDERAL MARITIME COMMISSION 800 N CAPITOL ST NW WASHINGTON DC 20002</p> <p>SHIP TO: DI NOS SHIPPING, INC. 58 INTERVAL STREET BROCKTON MA 02302-1747</p>	<p>MA 024 9-01</p> 	<p>UPS NEXT DAY AIR</p> <p>1</p> <p>TRACKING #: 1Z 1Y2 R54 01 9983 2714</p>		<p>BILLING: P/P</p>  <p>CS 13 6 08 WXP1860 18.0A 07/2011</p>
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