

VIA FEDERAL EXPRESS

February 10, 2012

Karen V. Gregory, Secretary
Office of the Secretary
Federal Maritime Commission
800 N. Capitol Street, N.W. # 900
Washington, DC 20573

Re: Docket No. 11-14

Joint Motion For Default Judgment Against RDM Solutions, Inc. and
Order Granting Complainant's Joint Motion For Default Judgment Against RDM
Solutions, Inc.

Dear Ms. Gregory,

Attached with this email please find a copy of the Joint Motion For Default Judgment
Against RDM Solutions, Inc. and Order Granting Complainant's Joint Motion For
Default Judgment Against RDM Solutions, Inc.

The original and five copies of this document were sent to your office on February 10,
2012 via Federal Express.

Should you have any questions, please contact me at 202.533.2388. Thank you for your
assistance.

Regards,



Robert D. Stang

CC: David P. Street
Brendan Collins
Sanford M. Saunders

**BEFORE THE
FEDERAL MARITIME COMMISSION**

PETRA PET, INC. (a/k/a PETRAPPORT))	
)	
Complainant)	
)	
vs.)	
)	FMC Docket No. 11-14
)	
PANDA LOGISTICS LIMITED,)	
PANDA LOGISTICS CO., LTD. (f/k/a PANDA)	
INT'L TRANSPORTATION CO., LTD.),)	
RDM SOLUTIONS, INC.)	
)	
Respondents)	

**JOINT MOTION FOR DEFAULT JUDGMENT AGAINST
RDM SOLUTIONS, INC.**

Comes Now the Complainant, Petra Pet, Inc. (“Complainant Petra”), by and through its counsel of record, and Respondent, Panda Logistics Limited and Panda Logistics Co., Ltd. (“Respondent Panda”), by and through its counsel of record, having reviewed and agreed upon the materials in controversy as well as the facts presented below, file this Joint Motion For Default Judgment Against RDM Solutions, Inc. in this proceeding, and in support thereof respectfully show the following:

1. Complainant Petra filed its Complaint with the Federal Maritime Commission (“the Commission”) on August 16, 2011 seeking reparations of \$269,940.68 plus interest, attorney’s fees and other damages, as appropriate.
2. Respondent Panda filed its answer with the Commission on September 28, 2011, in pertinent part cross claiming against Respondent RDM Solutions, Inc. (“Respondent RDM Solutions”) and seeking indemnification and contribution from Respondent RDM Solutions.

3. On or about September 26, 2011 the Commission served Respondent RDM Solutions through its agent lawfully designated by the New York Department of State for service of process.

4. The Administrative Law Judge's Notice Of Default And Order To Show Cause, dated October 31, 2011, expressly states, "RDM Solutions is currently in default." The Judge's Notice further states, "If RDM Solutions fails to respond to this order to show cause by November 30, 2011, a default judgment will be entered against it in the amount of \$269,940.68 plus interest, attorney's fees, and other damages as appropriate."

5. Commission Rule 64(a), 46 C.F.R. § 502.64(a), provides in pertinent part that "Respondent shall file with the Commission an answer to the complaint and shall serve it on complainant as provided in subpart H of this part within twenty (20) days after the date of service" Rule 64(a) further states that "Recitals of material and relevant facts in a complaint ... unless specifically denied in the answer thereto, shall be deemed admitted as true...."

6. More than 20 days have passed since the Complaint was served upon Respondent RDM Solutions. As of February 10, 2012 Respondent RDM Solutions has wholly and entirely failed to file a response with the Commission; failed to respond to the Judge's October 31, 2011 Notice Of Default And Order To Show Cause; and failed to serve an answer or response of any kind upon Complainant Petra or Respondent Panda.

7. The Commission's website identifies Respondent RDM Solutions as an Ocean Transportation Intermediary (NVOCC) covered under Federal Maritime Commission Number 021562.

8. Complainant Petra and Respondent Panda hereby submit all matters in controversy, of fact as well as of law, against Respondent RDM Solutions to the Commission, requesting that the Commission find and adjudicate that all material allegations in Petra's Complaint - as such matters in controversy involve Respondent RDM Solutions - are substantially true and correct; that Respondent RDM Solutions failed to appear in this proceeding; that Respondent RDM failed to establish any defense to the Complaint or to the cross claims filed by Respondent Panda; and that Complainant Petra is entitled to recover compensation from and against Respondent RDM as is hereinafter set out.

9. Complainant Petra and Respondent Panda respectfully request that the Commission adjudicate, find, and order that Complainant Petra recover from Respondent RDM and said Respondent RDM pay to Complainant Petra the amount of \$223,238.03, which is the total of the following items of loss and damage specified in Section VI of Petra's Verified Complaint:

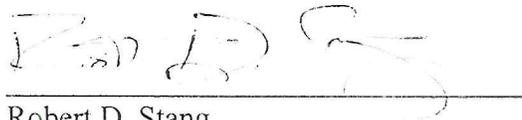
- A. \$963.80 covering amounts attributable to double freight payments in Complainant Petra's first wire transfer referenced in the Verified Complaint;
- B. \$29,784.00 covering demurrage that Complainant Petra paid in the United States as a result of Complainant Petra's inability to obtain certain freight releases;
- C. \$130,526.73 covering amounts that Complainant Petra paid in its second wire transfer referenced in the Verified Complaint; and

- D. \$61,963.50 covering attorneys fees suffered by Complainant Petra in attempting to obtain release of the goods subject to the Verified Complaint.

WHEREFORE, counsel of record for Complainant Petra and counsel of record for Respondent Panda having reviewed and agreed upon this Joint Motion for Default Judgment Against RDM Solutions, Inc., respectfully request the Commission to grant this Motion and award damages and compensation to Complainant Petra in the amounts requested above.

Dated: February 10, 2012

Respectfully submitted,



Robert D. Stang
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FEDERAL MARITIME COMMISSION

WASHINGTON, DC

DOCKET NO. 11-14

PETRA PET, INC. (a/k/a PETRAPPORT)

v.

**PANDA LOGISTICS LIMITED; PANDA LOGISTICS CO., LTD. (f/k/a PANDA
INT'L TRANSPORTATION CO., LTD.); and RDM SOLUTIONS, INC.**

**ORDER GRANTING COMPLAINANT'S JOINT MOTION FOR DEFAULT
JUDGMENT AGAINST RDM SOLUTIONS, INC.**

THIS CAUSE came before the Federal Maritime Commission on the Joint Motion For Default Judgment Against RDM Solutions, Inc. filed by Complainant Petra Pet, Inc. and it appearing that Respondent RDM Solutions, Inc. having been properly served with process, but having wholly and entirely failed to answer or otherwise defend or take part in this action, and upon good cause shown and sufficient proof of damages, it is hereby ORDERED AND ADJUDGED that:

Judgment is hereby entered against Respondent RDM Solutions, Inc. and in favor of Complainant Petra Pet, Inc. for injuries in the amount of \$223,238.03.

IT IS SO ORDERED.

Erin M. Wirth
Administrative Law Judge

CERTIFICATE OF SERVICE

I do hereby certify that I have delivered a true and correct copy of the foregoing document to the following addressees at the addresses stated via email transmission and/or by depositing same in the United States mail, first class postage prepaid on the 10th day of February 2012:

Counsel for Panda Logistics Limited and Panda Logistics Co. Ltd.

David P. Street
Brendan Collins
GKG Law, P.C.
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Agent designated for service of process for RDM Solutions, Inc.

Warren Hirsch (CPA)
65 Roosevelt Ave.
Valley Stream, NY 11581-1151

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Robert D. Stang, Esq.