BEFORE THE
FEDERAL MARITIME COMMISSION

DOCKET NO. 14-10

ECONOCARIBE CONSOLIDATORS, INC.

COMPLAINANT

v.

AMOY INTERNATIONAL, LLC.

RESPONDENT

MOTION FOR PARTIAL SUMMARY JUDGMENT

AFFIDAVIT OF JOHN KAMADA

I, John Kamada, under penalty of perjury, set forth and attest to the following:

1. I am over 18 years of age and am competent to make this affidavit.

2. I am the Manager of the Los Angeles Office of Econocaribe Consolidators, Inc. ("Econocaribe") and in charge of the business in the area of California.

3. Econocaribe is a corporation organized under the laws of the State of Florida and authorized to do business in the State of Florida and California.

4. On May 20, 2013 Amoy contracted with Econocaribe for the shipment of 4 containers allegedly containing 100 packages of "Auto Parts (New)" from Oakland, CA to Xingang, China.

5. In fact, the cargo was baled used truck tires, which we knew after the cargo arrived in China and was inspected by the Chinese Customs.

6. Econocaribe's Terms and Conditions was included into said contract. The Bill of Lading states "transportation pursuant to this Bill of Lading is subject to conditions set forth in Econocaribe published tariff."

7. Econocaribe in turn contracted with Maersk Line ("Maersk") for the shipment via the vessel "CMA CGM VIVALDI," and in accordance with Amoy's instructions made Victory Maritime Service ("Victory China") at destination the consignee. Maersk took possession of the containers along with other related paperwork on or about May 29, 2013 for purposes of shipment to China.

8. The arrival date was June 17, 2013. On or about that date Chinese Customs opened the containers for inspection, and found that the contents were in fact goods prohibited entry into China, i.e. baled used truck tires. It seized the four containers from Maersk Line, the importing carrier, and Maersk's notification of this fact then went to Econocaribe and Amoy.

9. On or about May 18, 2014, I had a phone call conversation with Melissa Chen, the owner of Amoy. In the conversation, Melissa stated that this was not the first time that Amoy had shipped used tires by providing false information to other NVOCC; that the previous misdeclaration was also done by the same employee, Krystal Lee; that as a result of Krystal Lee's misconduct, Amoy had paid other NVOCC damages Amoy caused; that Krystal Lee did this and the previous misdeclaration willfully, in fact, that Krystal Lee colluded with the shipper of the cargo; that Krystal Lee was terminated because of this misconduct.

10. On July 9, 2013 Maersk informed Econocaribe that the consignee Victory China denied interest in the cargo, and that Amoy needed to nominate another shipper for the return bill of lading. Econocaribe immediately forwarded this information to Amoy.

11. On or about June 30,2014, Chinese Customs released the four containers with the condition that it be shipped back to its country of origin.

12. Econocaribe entered into agreement with Maersk that Maersk will ship the four containers back to U.S.

13. Amoy has never nominated either a shipper or consignee for the return of the cargo, leaving Econocaribe unable to repatriate the cargo.

14. Further, Amoy has steadfastly refused to provide payment for the return freight charges and destruction costs.

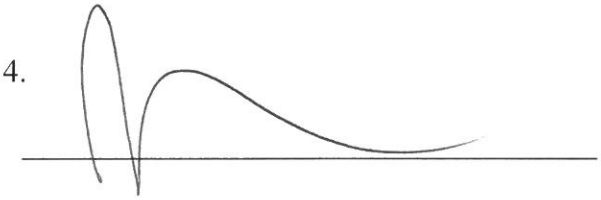
15. All the emails cited in the Motion for Partial Summary Judgment were previously produced by Econocaribe. They are all business record kept in the course of a regularly conducted activity of Econocaribe.

16. The matters set forth in this Affidavit are true and correct, and they are based on my personal knowledge and review of my records associated with this case.

17. I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

FURTHER AFFIANT SAYETH NAUGHT.

Executed on this 20th day of November 2014.



John Kamada

STATE OF CALIFORNIA

COUNTY OF Los Angeles.

Sworn to (or affirmed) and subscribed before me this 17 day of December 2014 by JOHN KAMADA. ~~Personally Known~~ X or Produced Identification DL. . Type of Identification Produced CALIFORNIA # B5758960

MARIA VILLALVA
Commission # 1983530
Notary Public - California
Los Angeles County
My Comm. Expires Jun 28, 2016

Maria Villalva.

Notary Public, State of California

My commission expires: June 28, 2016.