

S	E	R	V	E	D
March 20, 2015					
FEDERAL MARITIME COMMISSION					

FEDERAL MARITIME COMMISSION

DOCKET NO. 14-15

NGOBROS AND COMPANY NIGERIA LIMITED

v.

OCEANE CARGO LINK, LLC, and KINGSTON ANSAH, individually

NOTICE OF DEFAULT AND ORDER TO SHOW CAUSE

On March 6, 2015, Complainant Ngobros and Company Nigeria Limited (“Ngobros”) filed a motion seeking a default judgement against Respondents Oceane Cargo Link and Kingston Ansa. Respondents have not responded to the motion or participated in the proceeding.

The complaint alleges a violation of section 10(d)(1) of the Shipping Act of 1984 (“Shipping Act”). Complaint at 6 (citing 46 U.S.C. § 41102(c)). Complainant seeks damages totaling \$180,628.66. Complaint at 7. Ngobros asserts that the complaint was served on December 1, 2014, to Kingston Ansa at his residential address, and the complaint was served on January 15, 2015, on Oceane Cargo Link’s designated agent for service, Kingston Ansa, at his residential address. Motion at 1-2.

The Commission’s rules require that Oceane Cargo Link and Kingston Ansa file their answer or otherwise respond within twenty-five days after the date of service. *See* 46 C.F.R. § 502.62(b). No answer has been filed to date. In addition, the parties were served an Initial Order on December 5, 2014. Oceane Cargo Link and Kingston Ansa have not responded to the Initial Order.

Pursuant to Commission Rules:

Failure of a party to file an answer to a complaint, counterclaim, crossclaim, or third-party complaint within the time provided will be deemed to constitute a waiver of that party’s right to appear and contest the allegations of the complaint, counterclaim, crossclaim, or third-party complaint to which it has not filed an answer and to authorize the presiding officer to enter an initial decision on default as

provided for in 46 CFR 502.65. Well pleaded factual allegations in the complaint not answered or addressed will be deemed to be admitted.

46 C.F.R. § 502.62(b)(6).

Oceane Cargo Link and Kingston Ansah are currently in default. There may be some valid reason why they have failed to respond. Therefore, they will be granted additional time to respond to the proceeding and to show cause why judgment should not be entered against them. If Oceane Cargo Link and Kingston Ansah fail to respond to this Order by April 14, 2015, a default decision may be entered against them, including reparations of \$180,628.66, attorney's fees, and any other appropriate penalty.

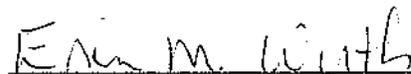
If Oceane Cargo Link and Kingston Ansah fail to respond, Ngobros should file a supplement to the motion seeking default. The supplement should provide additional legal authority, argument, and facts supporting the claim for damages. Specifically, the supplement should more fully explain the claim for lost profits and bank settlement agreement. In addition, the supplement should explain the basis for finding Kingston Ansah personally liable for any damages awarded. Finally, the supplement should identify if the damages were paid in US dollars, and if not, the currency in which paid and the conversion rate used in the claim for damages.

For the reasons stated above, it is hereby

ORDERED that on or before April 14, 2015, Respondents Oceane Cargo Link and Kingston Ansah file their answer and show cause why a decision on default should not be entered against them. It is

FURTHER ORDERED that on or before April 21, 2015, Complainant Ngobros and Company Nigeria Limited file a supplement regarding damages as discussed above. It is

FURTHER ORDERED that on or before April 28, 2015, Respondents Oceane Cargo Link and Kingston Ansah file any response to Ngobros's supplemental filing.



Erin M. Wirth
Administrative Law Judge