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(RUSCO)
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ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MAVL CAPITAL, INC. and IAM & AL
GROUP, INC.,

Plaintiff,

vs.

MARINE TRANSPORT LOGISTICS,
INC., DIMITRY ALPER, ALEKSANDR
SOLOVYEV, ROYAL FINANCE and
CAR EXPRESS & IMPORT, INC.,

Defendants.

Docket No. 16-16

Civil Action

**ANSWER, AFFIRMATIVE DEFENSES,
VERIFICATION**

FILED

AUG 31 2016

Federal Maritime Commission
Office of the Secretary

The defendant Dimitry Alper, by way of Answer to the Complaint of the plaintiff,
says that:

I. Complainants

1. This defendant does not have sufficient knowledge to respond to this
allegation and therefore denies it.

2. This defendant does not have sufficient knowledge to respond to this
allegation and therefore denies it.

3. This defendant does not have sufficient knowledge to respond to this
allegation and therefore denies it.

II. Respondents

4. This allegation does not pertain to this defendant who makes no response
except to deny the same insofar as it may be deemed to pertain to it.

5. This defendant admits this allegation.

6. This allegation does not pertain to this defendant who makes no response except to deny the same insofar as it may be deemed to pertain to it.

7. This defendant denies this allegation.

8. This defendant denies this allegation.

9. This allegation does not pertain to this defendant who makes no response except to deny the same insofar as it may be deemed to pertain to it.

10. This defendant denies this allegation.

11. This allegation does not pertain to this defendant who makes no response except to deny the same insofar as it may be deemed to pertain to it.

12. This defendant denies this allegation.

13. This defendant denies this allegation.

14. This defendant denies this allegation as it pertains to the defendant Alper.

15. This defendant denies this allegation.

16. This defendant denies this allegation.

III. Jurisdiction

17. This defendant can neither admit or deny this allegation in as much as it calls for defendant to admit or deny a legal conclusion.

18. This defendant can neither admit or deny this allegation in as much as it calls for defendant to admit or deny a legal conclusion. Notwithstanding said response, this defendant denies this allegation.

19. This allegation does not pertain to this defendant who makes no response except to deny the same insofar as it may be deemed to pertain to it.

IV. Statement of Facts and Matters Complained Of

20. This defendant denies this allegation as it pertains to the defendant Alper.

21. This defendant denies this allegation as it pertains to the defendant Alper.

22. This defendant denies this allegation.

23. This defendant denies this allegation as it pertains to the defendant Alper.

24. This allegation does not pertain to this defendant who makes no response except to deny the same insofar as it may be deemed to pertain to it.

25. This allegation does not pertain to this defendant who makes no response except to deny the same insofar as it may be deemed to pertain to it.

26. This allegation does not pertain to this defendant who makes no response except to deny the same insofar as it may be deemed to pertain to it.

THE INDIVIDUAL VEHICLES FROM WHICH THIS ACTION ARISES

The 2006 Mercedes SL65

27. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

28. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

29. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

30. This allegation does not pertain to this defendant who makes no response except to deny the same insofar as it may be deemed to pertain to it.

31. This defendant denies this allegation as it pertains to the defendant Alper.

32. This defendant denies this allegation as it pertains to the defendant Alper.

33. This defendant can neither admit or deny this allegation in as much as it calls for defendant to admit or deny a legal conclusion. Notwithstanding said response, this defendant denies this allegation as it pertains to the defendant Alper.

34. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

35. This defendant denies this allegation as it pertains to the defendant Alper.

36. This defendant denies this allegation as it pertains to the defendant Alper.

The 2011 Porsche Panamera

37. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

38. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

39. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

40. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

41. This defendant denies this allegation as it pertains to the defendant Alper.

42. This defendant denies this allegation as it pertains to the defendant Alper.

43. This defendant denies this allegation as it pertains to the defendant Alper.

44. This defendant denies this allegation as it pertains to the defendant Alper.

45. This defendant denies this allegation as it pertains to the defendant Alper.

46. This defendant denies this allegation as it pertains to the defendant Alper.

47. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

48. This defendant does not have sufficient knowledge to respond to this allegation and therefore denies it.

49. This defendant denies this allegation as it pertains to the defendant Alper.

50. This defendant denies this allegation.

51. This defendant denies this allegation.

V. Violations of the Shipping Act

A. This defendant denies this allegation as it pertains to the defendant Alper.

B. This defendant denies this allegation as it pertains to the defendant Alper.

C. This defendant denies this allegation as it pertains to the defendant Alper.

D. This defendant denies this allegation as it pertains to the defendant Alper.

VII. Injury to Complainants

A. This defendant denies this allegation as it pertains to the defendant Alper.

VIII. Prayer for Relief

A. This defendant denies this allegation as it pertains to the defendant Alper.

B. This defendant denies this allegation as it pertains to the defendant Alper.

C. This defendant denies this allegation as it pertains to the defendant Alper.

AFFIRMATIVE DEFENSES

First Affirmative Defense

Dimitry Alper has no ownership interest in Marine Transport Logistics, Inc.

Second Affirmative Defense

The doctrine of respondent superior applies to Mr. Alper.

Third Affirmative Defense

Dimitry Alper was an employee of Marine Transport Logistics, Inc.

Fourth Affirmative Defense

Dimitry Alper at all times acted within the scope of his employment.

Fifth Affirmative Defense

The Federal Maritime Commission lacks jurisdiction over defendant Alper.

Sixth Affirmative Defense

Dimitry Alper was not an officer of Marine Transport Logistics, Inc.

Seventh Affirmative Defense

The plaintiff's Complaint should be dismissed for failure to state a claim.

Eighth Affirmative Defense

The applicable statute of limitations bars plaintiff's claims.

Ninth Affirmative Defense

The plaintiff's Complaint is barred by the doctrine of unclean hands.

Tenth Affirmative Defense

The Federal Maritime Commission lacks jurisdiction of defendant Dimitry Alper.

Peter Cipparulo

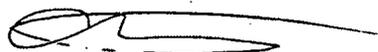
Law Offices of Peter Cipparulo, III, LLC
349 Route 206, Suite K
Hillsborough, NJ 08844
(908) 275-8777
(973) 737-1617 (facsimile)
petercipparulo@cipplaw.com
Attorney for Defendant Alper

DATED: August 25, 2016

VERIFICATION

Dimitry Alper declares that he is a Respondent in this proceeding, and that the foregoing annexed ANSWER is true to its best of his information and belief, and that the grounds to his belief as to those matters therein not stated upon personal knowledge, is based upon information which has otherwise been provided to Complainant and which Complainant believes to be true.

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


Dimitry Alper

Executed on August 25, 2016

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Plaintiff,

vs.

MARINE TRANSPORT LOGISTICS,
INC., DIMITRY ALPER, ALEKSANDR
SOLOVYEV, ROYAL FINANCE and
CAR EXPRESS & IMPORT, INC.,

Defendants.

Case No. 13-cv-7110 (SLT) (RLM)

Civil Action

CERTIFICATE OF SERVICE

FILED

AUG 31 2016

Federal Maritime Commission
Office of the Secretary

I certify that on this 25th day of August, 2016, a copy of the foregoing **Answer** was filed via Regular Mail to the following:

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

Marcus A. Nussbaum, Esq.
P.O. ox 245599
Brooklyn, NY 11224
Tel: 888-426-4370
Fax: 347-572-0439



Law Offices of Peter Cipparulo, III, LLC
Attorney for Defendant Alper