

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

Case No. 11-11-Civ 113A-TCB

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

APR 15 2011

By: JAMES N. HATTEN, Clerk
Deputy Clerk

FEDERAL MARITIME COMMISSION,

Plaintiff,

vs.

INDIGO LOGISTICS, LLC, LILIYA
IVANENKO, AND LEONID
IVANENKO,

Defendants.

ORDER GRANTING PRELIMINARY INJUNCTION

On this 15th day of April 2011, at 11:21 a.m., upon consideration of plaintiff Federal Maritime Commission's (Commission) Motion for Preliminary Injunction, the Court finds that the Commission has initiated an investigation to determine whether Defendants have violated the Shipping Act, 46 U.S.C. §§ 40901(a) and 40902(a), and the Commission's regulations at 46 C.F.R. §§ 515.3 and 515.21, by acting as an OFF without a license, and without evidence of financial responsibility in the form of a bond. FMC Docket No. 11-

06, Indigo Logistics, LLC; Liliya Ivanenko; and Leonid Ivanenko –Possible Violations of Section 10 of the Shipping Act of 1984 and the Commission’s regulations at 46 C.F.R. Part 515. The Commission is permitted to seek injunctive relief in connection with any investigation pursuant to the Shipping Act. 46 U.S.C. § 41307. The Commission has met the standards for granting injunctive relief by showing: (1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered unless the injunction is issued; (3) the threatened injury to the moving party outweighs whatever damage the proposed injunction might cause the non-moving party; and (4) if issued, the injunction would not be adverse to the public interest. For these reasons, the Commission’s Motion for Preliminary Injunction is granted, and a preliminary injunction is entered against Defendants.

Preliminary Injunction

TO DEFENDANTS INDIGO LOGISTICS, LLC, LILIYA IVANENKO,
AND LEONID IVANENKO:

You, your agents, servants, employees, and attorneys, and those in active concert or participation with you or them ARE HEREBY RESTRAINED AND ENJOINED FROM:

violating the Shipping Act of 1984, 46 U.S.C. §§ 40901(a) and 40902(a); by acting and operating as an ocean transportation intermediary without a valid Commission ocean freight forwarder license and without furnishing a bond, proof of insurance or other surety in the amount of \$50,000;

DONE AND ORDERED at ^{Atlanta} ~~DESA~~, Georgia, this 15th day of April, 2011.



UNITED STATES DISTRICT JUDGE

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