

## COMPROMISE AGREEMENT

FMC File No. 17204

This Agreement is entered into between:

(1) The Federal Maritime Commission, hereinafter referred to as Commission, and

(2) CL USA Inc., hereinafter referred to as Respondent.

WHEREAS, the Commission is considering the initiation of an assessment proceeding against Respondent for the recovery of civil penalties for alleged violation of 46 C.F.R. 515.18(c).

WHEREAS, such a proceeding would be based on the Commission's allegation that Respondent engaged in certain practices, to wit:

Respondent operated without a Qualifying Individual as required under 46 C.F.R. Part 515, for a period in excess of one year.

WHEREAS, the Commission is authorized under section 13(c) of the 1984 Act, 46 U.S.C. § 41109(c), and Subpart W of the Commission's Rules of Practice and Procedure, 46 C.F.R. § 502.604, et seq. to compromise and collect civil penalties arising for the alleged violation set forth and described above; and

WHEREAS, Respondent has terminated the practice which was the basis of the alleged violation set forth herein, and has committed to maintaining measures designed to eliminate such practice in the future; and

WHEREAS, Respondent has cooperated and disclosed to the Commission information, facts, and documents relevant to its transportation activities and practices;

NOW THEREFORE, in consideration of the premises herein, and in compromise of all civil penalties arising from the alleged violation set forth and described herein, Respondent and the Commission hereby agree upon the following terms of settlement:

1. Respondent shall make payment to the Commission by cashier's check or certified check in the total amount of \$22,500.
2. This instrument shall forever bar the commencement or institution of any assessment proceeding or other claim for recovery of civil penalties from Respondent, its officers, directors, employees, or agents arising from the alleged violation set forth above that occurred for a period in excess of one year prior to March 23, 2016.
3. It is expressly understood that this Agreement is not, and is not to be construed as, an admission by Respondent to the alleged violation set forth above.
4. This agreement is subject to approval by the Commission's Managing Director in accordance with 46 C.F.R. § 502.604.

CL USA Inc.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVAL AND ACCEPTANCE**

The above Terms and Conditions and Amount of Consideration are hereby approved and accepted:

By the Federal Maritime Commission:

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Peter J. King, Director (Date)  
Bureau of Enforcement

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Vern W. Hill (Date)  
Managing Director