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5 Attorneys for Plaintiffs-In-Intervention  
 CREWMEMBERS

6 UNITED STATES DISTRICT COURT  
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 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 9

10 VALERIE SHIPPING, INC.,  
 11 Plaintiff,

12 vs.

13 KOREA LINE (SINGAPORE), PTE, LTD.  
 14 Defendants.

CASE NO.: CV 11-0911 JSW

**JOINT MOTION AND  
 [PROPOSED] ORDER FOR  
 PAYMENT OF  
 CREWMEMBERS**

15 GLENN DELARRAZABAL, NELSON  
 CASTILLO, RAFFIE JUMAO-AS, PEDRO  
 16 VELORIA, JERRY DACLAN, WILLIAM  
 SORIANO, ANTHONY NAMORO,  
 17 ISAGANI VICTORIA, ROMEO BANAG,  
 ELMER SALVADOR, DONNIE  
 18 LEDESMA, EDWARD OGANA, ROBERT  
 DIAZ, CLIFFORD MERINGUEZ,  
 19 MICHAEL ROTO, VINEY BOLINAS,  
 DICK SAMIENTO, BILLY FAUSTINO,  
 20 DARRELL PARDILLO, SERGIO  
 CALUCIN AND ENGELBERTH  
 21 LAPLANA,

22 Plaintiffs-In-Intervention,

23 vs.

24 THOME SHIP MANAGEMENT PTE, LTD,  
 KOREA LINE (SINGAPORE) PTE, LTD,  
 25 and DOES 1-50, *in personam*, and MT BLUE  
 JADE, and her engines, tackle, apparel, etc.,  
 26 *in rem*,

27 Defendants.  
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1 THE CURRENT PARTIES TO THIS ACTION, BY AND THROUGH THEIR  
2 ATTORNEYS OF RECORD HEREIN, HEREBY JOINTLY MOVE AND  
3 REQUEST THAT THE COURT ISSUE THE FOLLOWING ORDER ON THE  
4 MOTION TO PAY CREWMEMBERS CURRENTLY BEFORE THE COURT AS  
5 FOLLOWS:

6 WHEREAS the Crewmembers and all other current parties agree to payment at  
7 this time of the following amounts to the crewmembers:

- 8 1. **Wages for March 2011** in the amount of **\$79,509.50** (See the total set  
9 forth on Exhibit "A" to the Declaration of Edward M. Bull III, less the  
10 pre-attachment wages, namely accumulated leave and prior month  
11 balance forward),
- 12 2. **Wages for April 2011** in the amount of **\$76,697.01** (See the total set  
13 forth on Exhibit "B" to the Declaration of Edward M. Bull III), and
- 14 3. **Wages for May 1-6, 2011** in the amount of **\$15,339.40** (See Exhibit "C"  
15 to the Declaration of Edward M. Bull III),

16 for a total immediate payment of **\$171,545.91**; and

17 WHEREAS the Crewmembers and all other current parties agree to payment of  
18 Wages for the services of the crew after May 6, 2011 on a monthly basis, and at the  
19 same contractual rates as utilized to calculate the March and April wages (at a pro-rata  
20 daily rate), up to and until the time of the actual repatriation of the individual  
21 crewmembers; and

22 WHEREAS the Crewmembers and all other current parties agree to payment of  
23 the actual cost of repatriation expenses at the time of repatriation (estimated at  
24 approximately \$1,000 per crewmember); and

25 WHEREAS the Crewmembers agree to reserve their remaining claims for pre-  
26 attachment and pre-arrest wages (including accumulated leave in the amount of  
27 \$16,422.13 and prior month balance forward in the amount of \$10,379.52 - see

1 Exhibit "A" to the Declaration of Edward M. Bull III); for severance pay (estimated at  
2 \$64,136.28 - See Exhibit "C" to the Declaration of Edward M. Bull III), for penalty  
3 wages, and for any other element of damages, to be resolved by agreement or  
4 adjudicated at a later date.

5 **SO MOVED.**

6 DATED: May 6, 2011

BRODSKY MICKLOW BULL & WEISS LLP

8 By: /S/ Edward M. Bull III  
9 Edward M. Bull III  
10 Kurt Micklow

11 Attorneys for Intervening Plaintiff  
CREWMEMBERS

12 DATED: May 6, 2011

EMARD DANOFF PORT TAMULSKI &  
13 PAETZOLD LLP

14 By: /S/ James J. Tamulski  
15 James J. Tamulski

16 Attorneys for Substitute Custodian  
NATIONAL MARITIME SERVICES, INC.

17 DATED: May 6, 2011

COX, WOOTTON, GRIFFIN, HANSEN &  
18 POULOS, LLP

19 By: /S/ Max Lee Kelly  
20 Gregory W. Poulos  
Max Lee Kelly

21 Attorneys for Plaintiff  
VALERIE SHIPPING, INC

22 DATED: May 6, 2011

23 KEESAL, YOUNG & LOGAN

24 By: /S/ James A. Marissen  
25 James A. Marissen

26 Attorneys for Intervening Plaintiff  
Nordea Bank Finland Plc

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ULTRAGAS INTERNATIONAL, S.A., which has not become involved in vessel management issues to date, and does not plan to become so involved at this time, has no objection to the relief sought by the substitute custodian and the crew, and does not oppose the terms of the above motion or proposed order.

DATED: May 6, 2011

FLYNN, DELICH & WISE LLP

By: /S/ Conte C. Cicala  
Conte C. Cicala

Attorneys for Intervening Plaintiff  
ULTRAGAS INTERNATIONAL, S.A.

**Having heard oral argument on the motion, Defendants having failed to appear and file an opposition, and**

**ORDER**

Having considered the moving and opposition papers on the motion by National Maritime Services, Inc to pay the crew, and the above joint motion of the current parties to the action, and good cause appearing thereon, IT IS HEREBY ORDERED that:

1. Substitute Custodian NATIONAL MARITIME SERVICES, INC. Shall make payment at this time of the following amounts to the crewmembers: (a) **Wages for March 2011** in the amount of **\$79,509.50**, (b) **Wages for April 2011** in the amount of **\$76,697.01** and (c) Wages for May 1-6, 2011 in the amount of **\$15,339.40** (these payments shall be in the individual amounts set forth on Exhibits "A", "B" & "C" to the Declaration of Edward M. Bull III, for a total immediate payment of **\$171,545.91**);
2. Substitute Custodian NATIONAL MARITIME SERVICES, INC. Shall make payment of Wages for the services of the crew after May 6, 2011 on a monthly basis, and at the same contractual rates as utilized to

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calculate the March and April wages (on a pro-rata daily rate), up to and until the time of the actual repatriation of the individual crewmembers;

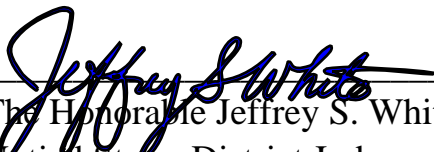
3. Substitute Custodian NATIONAL MARITIME SERVICES, INC. Shall make payment the actual cost of repatriation expenses at the time of repatriation; and

4. The above payments are deemed to be proper custodia legis expenses.

The substitute custodian shall meet and confer with counsel for the Crewmembers' as to the manner such payments shall be made, and the Crewmembers' remaining claims for pre-attachment and pre-arrest wages (including accumulated leave, prior month balance forward and severance pay), for penalty wages, and for any other element of damages, shall be reserved and resolved by agreement or adjudicated at a later date.

**IT IS SO ORDERED.**

DATED: May 6, 2011

  
The Honorable Jeffrey S. White  
United States District Judge