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2 UNITED STATES DISTRICT COURT  
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
San Francisco Division

4 OCEANCONNECT MARINE PTE. LTD. ) Case No. CV 13-2829  
5 Plaintiff, )  
6 v. ) **IN ADMIRALTY**  
7 M/V BUM YOUNG, its engines, tackle and ) **STIPULATION TO RELEASE**  
8 apparel, ) **PROPERTY IN THE CUSTODY OF THE**  
9 Defendant *IN REM*. ) **U.S. MARSHAL, SUBSTITUTE**  
10 ) **CUSTODIAN OR OTHER PERSONS**  
11 ) **FROM ARREST AND RELATED**  
12 ) **ORDERS; ~~PROPOSED~~ ORDER**  
13 ) **[CLAIMANT STX PAN OCEAN**  
14 ) **RESTRICTED APPEARANCE**  
15 ) **PURSUANT TO F.R.C.P.**  
16 ) **SUPPLEMENTAL ADMIRALTY RULE**  
17 ) **E(8)]**

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19 STX Pan Ocean Co. Ltd, by limited appearance pursuant to F.R.C.P. Supplemental  
20 Admiralty Rule E(8), as Claimant to the vessel M/V BUM YOUNG, its engines, tackle and  
21 apparel, *et al.*, Defendant *in rem*, (“MV BUM YOUNG”) and Plaintiff OCEANCONNECT  
22 MARINE PTE. LTD. (“Plaintiff”) (collectively, the “Parties”), by and through their respective  
23 counsel, hereby stipulate as follows:

24 WHEREAS, on June 19, 2013, Plaintiff obtained an order from this Court pursuant to  
25 Rule C of the Supplemental Admiralty Rules for Certain Admiralty or Maritime Claims of the  
26 Federal Rules of Civil Procedure (“the Arrest Order”), arresting the M/V BUM YOUNG in this  
27 District;

28 WHEREAS, on June 19, 2013, the Plaintiff also obtained a Warrant For Arrest *In Rem* of  
the MV BUM YOUNG (“Arrest Warrant”) as well as an Order for the Appointment of a

**STIPULATION TO RELEASE PROPERTY IN THE CUSTODY OF THE U.S.**  
**MARSHAL, SUBSTITUTE CUSTODIAN OR OTHER PERSONS FROM ARREST AND**  
**RELATED ORDERS; ~~PROPOSED~~ ORDER** Case No. CV 13-2829

1 Substitute of Custodian (“Custodian Order”) (the Arrest Order, the Custodian Order, and the  
2 Arrest Warrant are collectively referred to herein as the “Orders”);

3 WHEREAS, the Arrest Order and Arrest Warrant directed the United States Marshal to  
4 arrest the MV BUM YOUNG;

5 WHEREAS, the Custodian Order compels the United States Marshal to assume custody  
6 and possession of the M/V BUM YOUNG and then surrender such custody and possession to a  
7 Substitute Custodian, Nielsen Beaumont (the “Substitute Custodian”);

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9 WHEREAS, on June 19, 2013, the United States Marshal, pursuant to the Orders,  
10 proceeded to arrest the M/V BUM YOUNG;

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12 WHEREAS, on July 16, 2013, STX Pan Ocean Co. Ltd agreed to deposit security in  
13 substitution for the M/V BUM YOUNG, in the amount of US \$800,000.00 (the “Security”) with  
14 the Court’s registry, on terms satisfactory to Plaintiff, to be held by the Court pending the  
15 resolution of Plaintiff’s claims against the M/V BUM YOUNG;

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17 WHEREAS, on July 26, 2013, the Security was received by wire into the client trust  
18 account of the undersigned counsel for STX Pan Ocean Co. Ltd.,

19  
20 WHEREAS the parties agree that the deposit of Security by STX Pan Ocean Co. Ltd  
21 shall be without prejudice to any party or nonparty’s right to contest the underlying validity of  
22 the arrest or to contest the amount of the Security; and

23  
24 WHEREAS, by the terms of this Stipulation to Release, the Plaintiff consents to the  
25 immediate release of the M/V BUM YOUNG from arrest, this action to continue *in rem* on the  
26 Security,

27  
28 NOW THEREFORE THE PARTIES HEREBY STIPULATE AS FOLLOWS:

**STIPULATION TO RELEASE PROPERTY IN THE CUSTODY OF THE U.S.  
MARSHAL, SUBSTITUTE CUSTODIAN OR OTHER PERSONS FROM ARREST AND  
RELATED ORDERS; ~~PROPOSED~~ ORDER** Case No. CV 13-2829

1           1.       STX PAN OCEAN CO. LTD WILL DEPOSIT US \$800,000.00 WITH THE  
2 COURT'S REGISTRY TO BE HELD BY THE COURT PENDING THE RESOLUTION OF  
3 PLAINTIFF'S CLAIMS AGAINST THE M/V BUM YOUNG;

4           2.       THAT UPON THAT DEPOSIT, PLAINTIFF CONSENTS TO THE  
5 IMMEDIATE RELEASE FROM ARREST OF THE M/V BUM YOUNG;

6           3.       THAT UPON THAT DEPOSIT, PLAINTIFF CONSENTS TO THE  
7 IMMEDIATE RELEASE OF THE SUBSTITUTE CUSTODIAN, THE UNITED STATES  
8 MARSHAL, AND THE UNITED STATES FROM ALL RESPONSIBILITIES CONFERRED  
9 BY THE ORDERS.

10 IT IS SO STIPULATED.

11 Dated this 26th day of July, 2013.

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13  
14 /s/ John D. Giffin  
15 JOHN D. GIFFIN  
16 JESSICA LUHRS  
17 KEESAL, YOUNG & LOGAN

18 Attorneys for Interested Party STX PAN  
19 OCEAN CO. LTD.

/s/ J. Stephen Simms  
J. STEPHEN SIMMS  
SIMMS SHOWERS LLP

JOSHUA E. KIRSCH  
MARISA G. HUBER  
GIBSON ROBB & LINDH LLP

Attorneys for Plaintiff OCEANCONNECT

20                               **~~PROPOSED~~ ORDER**

21           Based on the foregoing Stipulation and good cause appearing, IT IS HEREBY  
22 ORDERED THAT:

23           1.       STX Pan Ocean Co. Ltd shall deposit US \$800,000.00 with the Court's registry to  
24 be held by the Court pending the resolution of Plaintiff's claims against the M/V BUM YOUNG;

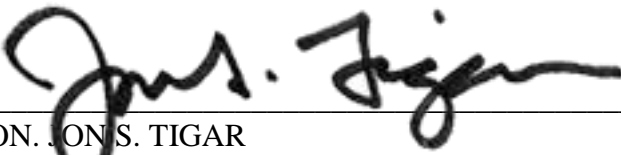
25           2.       That upon that deposit, the vessel M/V BUM YOUNG, her engines, tackle, and  
26 apparel, *et al., in rem*, are released from maritime arrest;

27  
28 **STIPULATION TO RELEASE PROPERTY IN THE CUSTODY OF THE U.S.  
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1           3.       That upon that deposit, the Substitute Custodian, United States Marshal, and  
2 United States are released from all duties and responsibilities conferred by this Court's Orders  
3 with respect to the M/V BUM YOUNG in this action.

4           IT IS SO ORDERED.

5 Dated: July 29, 2013.

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9 HON. J. S. TIGAR  
JUDGE OF THE UNITED STATES DISTRICT COURT

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