

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHINA NATIONAL CHARTERING CORP., :
 :
 Plaintiff, :
 :
 -v- :
 :
 YANGJIANG FENGYUAN GRAIN AND OIL :
 INDUSTRIAL CO. LTD., :
 :
 Defendant. :
----- x

06 Civ. 15496 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

By ex parte Order dated December 28, 2006, the Court directed the Clerk of the Court to issue process of maritime attachment and garnishment pursuant to Rule B. Based on representations by counsel that this matter was being arbitrated in London, the Court placed the case on the suspense docket, nunc pro tunc, as of February 21, 2007. Although defendant has not appeared in this case, in light of the Second Circuit's unequivocal decision in Shipping Corporation of India Ltd. v. Jaldhi Overseas PTE Ltd., 585 F.3d 58 (2d Cir. 2009), which held that electronic fund transfers processed by intermediary banks are no longer subject to attachment under Rule B, the attachment previously issued in this case is hereby vacated. The Clerk of the Court is directed to remove the case from the suspense calendar and enter final judgment dismissing the case.

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SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
February 22, 2010