

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KOOKYANG SHIPPING CO., LTD.,

Plaintiff,

-against-

PT. XENON SUMBER MAKMUR,

Defendant.

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>10/26/09</u>

ORDER

09 Civ. 8086 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

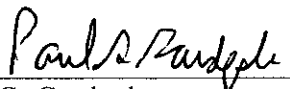
Plaintiff Kookyang Shipping Co., Ltd. commenced this action on September 22, 2009 by filing a Verified Complaint and applying for an ex parte order for Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. On October 16, 2009, this Court found that Plaintiff had not met the requirements for obtaining a Rule B order. This Court ordered that Plaintiff submit any Amended Verified Complaint no later than October 25, 2009. This Court further ordered that absent the submission of a properly supported Amended Verified Complaint, or an affidavit showing good cause why the case should not be dismissed, the action would be dismissed without prejudice.

Because Plaintiff has failed to file an Amended Verified Complaint and has not shown good cause why this action should not be dismissed, it is hereby ORDERED that the action is dismissed without prejudice. It is further ORDERED that if Plaintiff chooses to commence a new action concerning the dispute described in the Verified Complaint in the Southern District of New York, Plaintiff shall designate the new action as related to this action.

The Clerk of the Court is directed to close this case.

Dated: New York, New York
October 26, 2009

SO ORDERED.



Paul G. Gardephe
United States District Judge