

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BOC AVIATION LIMITED,

Plaintiff,

-v-

AIRBRIDGECARGO AIRLINES, LLC, and VOLGA-
DNEPR LOGISTICS B.V.

Defendants.
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22-cv-2070 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On November 18, 2022, Plaintiff submitted an email to chambers informing the Court of a dispute as to two terms of the proposed order. With respect to the first term, Defendant submitted a reply email contending that the paragraph beginning “ORDERED that Defendants ensure deregistration . . .” should be struck. The Court orders that the paragraph should read as follows:

“ORDERED that Volga-Dnepr take reasonable steps to assist BOCA to procure the registration of such warranty bills of sale on the International Registry of Mobile Assets; and it is further”

The language is similar to, and no more restrictive than, the language of the proposed order submitted with the motion for preliminary injunction. Dkt. No. 48-1. The additional language is based on Section 12.02 on the “Event of Loss with Respect to an Engine” which specifies that “Lessee . . . will . . . take such action as Lessor may reasonably request to procure the registration of such warranty bill of sale on the International Registry.” Dkt. No. 47-1 at ECF p. 84. If Plaintiff wishes greater relief than that requested in its motion for a preliminary injunction, it will need to move to modify the preliminary injunction on notice to Defendants.

With respect to the paragraph at the top of page 3 of the proposed order concerning the December 5 deadline for delivering originals, the Court rejects the Defendant’s requested language modification which would substitute the words “as soon as permitted by all relevant authorities” for the deadline of December 5, 2022.

SO ORDERED.

Dated: November 18, 2022

New York, New York



LEWIS J. LIMAN
United States District Judge