# UNITED STATES DISTRICT COURT

District of Alaska							
UNITED STATES V.		JUDGMENT IN A CRIMINAL CASE (For Organizational Defendants)					
AML SHIP MANA	GEMENT GMBH	CASE NUMBER: 3:15-cr-	00007-TMB				
		Michael G. Chalos and Jennifer M. Coughlin  Defendant Organization's Attorney					
THE DEFENDANT O	RGANIZATION:	2 <b>0.0.1</b> 0.1					
X pleaded guilty to count(s	s) 1 of the Felony Information	on.					
pleaded nolo contendere which was accepted by t	to count(s)						
was found guilty on count(s) after a plea of not guilty.							
The organizational defendan	t is adjudicated guilty of these or	ffenses:					
Title & Section 33 U.S.C. §§ 1319 (c)(2)(A), 1321(b)(3)	Nature of Offense Clean Water Act	Offense End 8/29/2014					
_	•	n pages 2 through 5 of this judge count(s)					
Count(s)	is	are dismissed on the motion of the Unite	d States.				
It is ordered that the of name, principal business are fully paid. If ordered to changes in economic circum	defendant organization must no ddress, or mailing address until al pay restitution, the defendant o stances.	tify the United States attorney for this district Il fines, restitution, costs, and special assessme rganization must notify the court and United	within 30 days of any change nts imposed by this judgment States attorney of material				
Defendant Organization's	(fi)	MAY 26, 2015					
Federal Employer I.D. No.: N/A	_	Date of Imposition of Judgment					
Defendant Organization's Principal	Business Address:						
Borstelmannsweg 145		S/TIMOTHY M. BURGESS Signature of Judge	S/HMOTHY M. BURGESS Signature of Judge				
20537 Hamburg, Germany							
		TIMOTHY M. BURGESS, U.S. DIS  Name and Title of Judge	TRICT JUDGE				
		JUNE 1, 2015 Date					
Defendant Organization's Mailing	Address:	Buie					
Same as above.							

Sheet 2 — Probation

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DEFENDANT ORGANIZATION:

#### **PROBATION**

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The defendant organization is hereby sentenced to probation for a term of: 3 years.

This is a term of 3 years to be served concurrently with the sentence imposed in 3:15-cr-00018-TMB.

The defendant organization shall not commit another federal, state or local crime.

If this judgment imposes a fine or a restitution obligation, it is a condition of probation that the defendant organization pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant organization must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page (if indicated below).

#### STANDARD CONDITIONS OF SUPERVISION

- 1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organizations's representative and to be the primary contact with the probation officer;
- 2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
- 4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
- 5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
- 6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees; and
- 7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

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### ADDITIONAL PROBATION TERMS

- 1. The defendant shall provide the United States Attorney's Office for the District of Alaska and the United States Probation Office for the District of Alaska with immediate notice of any name change, business reorganization, change of control or ownership, or similar action that significantly impacts the operation of the defendant's business or the fulfillment of the Plea Agreement. The defendant also agreed to provide both offices with immediate notice of any acquisition, sale, change in management, operation and ownership of any vessel that is owned or operated by the defendant or any parent or affiliated entity.
- 2. During the period of probation the defendant organization shall pay any fine and any restitution in accordance with the Court's orders.
- 3. The defendant shall fund and implement an Environmental Compliance Plan for any vessels owned, operated, or managed by the defendant that call or may call at ports or placed in the United States.
- 4. The defendant shall submit to a warrantless search of person, residence, vehicle, personal effects, place of employment, offices, all vessels subject to the Environmental Compliance Plan, and other property by a Federal probation or pretrial services officer or other law enforcement officer, based upon reasonable suspicion of contraband or a violation of a condition of probation. Failure to submit to a search may be grounds for revocation of probation.

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## **CRIMINAL MONETARY PENALTIES**

The defendant organization must pay the following total criminal monetary penalties under the schedule of payments on Sheet 4.

TOT	ΓALS \$	Assessment 400.00		\$	Fine 375,000.00	\$	Community Service Payment 125,000.00
		tion of restitution is deach determination.	eferred until		An Amende	ed Judgment in a	Criminal Case (AO 245C) will be
	The defendant below.	organization shall ma	ke restitution (includ	ding	community restitu	ation) to the follow	ring payees in the amount listed
	If the defendan otherwise in the be paid before	t organization makes e priority order or perc the United States is p	a partial payment, ea entage payment colu aid.	ach p imn	oayee shall receive below. However, p	an approximately oursuant to 18 U.S.	proportioned payment, unless specified C. § 3664(i), all nonfederal victims must
	<u>ne of Payee</u> ka SeaLife Cer		Total Loss* \$125,000.00			ent Ordered ,000.00	Priority or Percentage 100%
TOT	ΓALS	\$	125,000.00	_	\$12:	5,000.00	
X	CS Payment a	mount ordered pursua	ant to plea agreemen	ıt \$	125,000.00	_	
X	The defendant organization shall pay interest on the community service payment or a fine of more than \$2,500, unless the community service payment or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).						
	The court dete	ermined that the defer	dant organization do	oes 1	not have the ability	to pay interest, an	nd it is ordered that:
	☐ the intere	st requirement is waiv	red for the  fi	ne	restitution.		
	☐ the intere	st requirement for the	☐ fine ☐	] re	estitution is modifie	ed as follows:	

<sup>\*</sup> Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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## **SCHEDULE OF PAYMENTS**

ng as	ssessed the organization's ability to pay, payment of the total criminal monetary penalties are due as follows:
X	Lump sum payment of \$500,400.00 due immediately, balance due
	X not later than, or, or
	Payment to begin immediately (may be combined with $\square$ C or $\square$ D below); or
	Payment in (e.g., equal, weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
X	Special instructions regarding the payment of criminal monetary penalties:  Defendant organization shall pay all monetary penalties within ten days.
	nal monetary penalties are made to the clerk of the court.  Indant organization shall receive credit for all payments previously made toward any criminal monetary penalties imposed.
Def	ent and Several Fendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and responding payee, if appropriate.
The	defendant organization shall pay the cost of prosecution.  defendant organization shall pay the following court cost(s):  defendant organization shall forfeit the defendant organization's interest in the following property to the United States:
	X  I Deficion Deficion The