

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:15-CR-00108-H-3
NO. 7:15-CR-00108-H-4

UNITED STATES OF AMERICA)
)
 v.)
)
 OCEANIC ILLSABE LIMITED, AND)
 OCEANFLEET SHIPPING LIMITED)

**GOVERNMENT’S MOTION FOR STATUTORY AWARD
PAYMENT PURSUANT TO 33 U.S.C. § 1908(a)**

COMES NOW the United States of America, by and through its attorneys John Stuart Bruce, United States Attorney for the Eastern District of North Carolina, and Jeffrey H. Wood, the Acting Assistant Attorney General for the Environment and Natural Resources Division, and files this Motion for Statutory Award Payments, and respectfully requests this Court to award \$150,000 USD, attributable to defendants’ conviction of violating the Act to Prevent Pollution from Ships, 33 U.S.C. § 1908(a) (APPS), to be distributed among several cooperating crewmembers in the amounts specified below:

Vicente Rey Makilan Menente - \$100,000

Charlie Dupit Sarduma - \$10,000

Reynaldo Tismo Villegas - \$10,000

Anthony Abuan Reyes - \$10,000

Ronald Diamante Belleza - \$15,000

Reynaldo Batindaan Punay - \$5,000

For the reasons explained below, the government believes these amounts appropriately reward the crewmembers for the information they provided in this prosecution.

DEFENDANTS' PENALTIES AND THE COURT'S AWARD AUTHORITY

On January 11, 2017, as a result of their conviction for nine felony offenses, Oceanic Illsabe Limited (“Oceanic”) was sentenced to pay criminal penalties totaling \$900,000, and Oceanfleet Shipping Limited (“Oceanfleet”) was sentenced to pay penalties totaling \$1,800,000. The offenses of conviction included one count of violating the Act to Prevent Pollution from Ships (APPS), 33 U.S.C. § 1908(a). The maximum fine attributable to this count is \$500,000 for each defendant. *See id.*; 18 U.S.C. § 3571.

APPS is designed to implement an international law treaty known as the MARPOL protocol, which sets forth international standards to protect the marine environment. To further this purpose, APPS grants this Court the discretionary authority to issue a monetary award for up to one-half of any criminal fine imposed on the defendants to those individuals who provide information that leads to a conviction under APPS. Specifically, section 1908(a) of APPS provides that:

A person who knowingly violates the MARPOL Protocol, this chapter, or the regulations issued thereunder commits a class D felony. In the discretion of the Court, an amount equal to not more than ½ of such fine may be paid to the person giving information leading to conviction.

33 U.S.C. § 1908(a) (emphasis added).

The APPS award provision serves a valuable law enforcement purpose by encouraging those most likely to know of illegal conduct to report it and cooperate with law enforcement. Because the discharge of oily waste typically takes place in the middle of the ocean in international waters, the only persons likely to know about the conduct and the falsification of the ORB are the crew members. Absent crew members with firsthand knowledge of the illegal conduct coming forward, APPS violations are otherwise extremely difficult to uncover. Further, a crewmember who reports illegal conduct faces potential reprisal, such as the possibility that he will lose gainful

employment and be blacklisted and barred from working in the marine shipping industry in the future. A substantial monetary award, as provided by APPS, both rewards crew members for taking those risks and provides an incentive for other crew members to come forward and report illegal conduct on vessels in the future.

Corporate defendants have previously argued that APPS' whistleblower provision provides an incentive for crewmembers to fabricate misconduct or hide it from their employers. First, because the allocation of the penalties does not affect defendants' rights or present the possibility of any "harm" to them, defendants lack standing to challenge this motion. *Cf. United States v. Al-Talib*, 55 F.3d 923, 930 (4th Cir. 1995) (criminal defendants lacked standing to challenge governmental conduct that tangentially concerned investigation but had "no direct impact" on them); *United States v. Ward*, 732 F.3d 175, 187 (3d Cir. 2013) (defendant lacked standing to challenge failure to order restitution in his case because he had no rights at stake).

Second, the undersigned attorneys are unaware of any vessel pollution prosecution where whistleblowers simply fabricated the evidence of APPS violations. Certainly that did not occur here. The evidence at trial corroborating the whistleblowers was very strong and included laboratory testing, photographs and video footage, and the testimony of numerous USCG inspectors. The jury found beyond a reasonable doubt that all defendants were guilty of all charges. The evidence also demonstrated that to the extent lower-level crewmembers did not disclose misconduct to their employers, it was because they did not trust their employers to do the right thing and feared retaliation. Third, and more importantly, the wisdom of the whistleblower provision is a question for Congress, not the defendants here. From the text of 33 U.S.C. § 1908(a), it is clear that Congress believed that rewarding those who report hard-to-discover criminal conduct is an appropriate exercise of judicial discretion.

Throughout this case, corporate defendants have sought to paint the whistleblower provision, and the prospect of the government moving for a reward, as somehow illicit or unseemly. The government has mostly abstained from responding to this line of argument because it was not relevant to the presentation of the evidence. Now that the issue is before the Court, the government notes that the APPS provision is not any more unseemly or liable to abuse than any other program that rewards individuals for coming forward with information, such as when the FBI publically offers money for information leading to arrest or conviction. Indeed, the present program is *less* liable to abuse because only the Court, and not the Executive Branch, can provide a reward. Moreover, this is precisely the type of case that Congress had in mind when it *expressly* authorized the dispersal of a reward to persons who give information leading to conviction.

ASSISTANCE PROVIDED BY CREWMEMBERS¹

Vicente Menente:

Vicente Menente was the Third Engineer of the *M/V Ocean Hope*, a ship that was owned and operated by the corporate defendants. Upon his arrival onboard the vessel, Mr. Menente determined that the vessel was dumping oily bilge water directly into the ocean without using a required pollution prevention device known as an Oil-Water Separator. He also learned that one of the vessel's two bilge water holding tanks was being used to store diesel fuel for sale on the black market. On June 14, 2015, he observed a black flexible hose, or "magic pipe," connected in the engine room that crewmembers told him had been used to discharge several cubic meters of sludge directly into the ocean. On his cellphone, Mr. Menente captured video and photographs of the magic pipe while it was connected and after it was removed, as well as the transfer of diesel

¹ The Court may note that the government is not requesting a whistleblower payment for two other crewmembers: Dumitru Tabacaru, the vessel's Master, and Clark Villar, an Oiler. Mr. Tabacaru did not provide substantial information leading to conviction. As for Mr. Villar, the government believes that, even after debarking from the vessel, he was not forthcoming with investigators about his role in the theft of diesel fuel and therefore provided some information that was misleading, in addition to his truthful statements about the incidence of pollution.

into the bilge tank, among other footage. Mr. Menente testified credibly that he was afraid of reporting this misconduct to corporate management while the vessel was still traveling at sea because he feared retaliation from his superiors and not being believed by company representatives. The evidence at trial showed that the corporate defendants had lax compliance regimes, and the master of the vessel stated that individuals who report misconduct to governmental entities are frequently blacklisted from future employment. Shipping industry publications and other sources document that the blacklisting of crewmembers is widely known within the industry.²

Before the vessel arrived at the Port of Wilmington, North Carolina, in July 2015, Mr. Menente reported the vessel's pollution to the United States Coast Guard (USCG) through his wife. Upon arrival, Mr. Menente approached USCG inspectors and immediately and voluntarily provided the evidence he collected. Mr. Menente agreed to remain in the United States, away from his family, through the trial in this matter. The evidence at trial demonstrated that Mr. Menente never demanded a reward from the USCG or any other part of the federal government before providing his evidence. Mr. Menente testified at trial, and the jury evidently found his testimony credible. Despite being interviewed multiple times by the USCG over the course of more than a year, the central elements of his testimony were consistent.

Corporate defendants have previously pointed out that Mr. Menente's wife requested work visas from the USCG and inquired about a reward prior to the vessel's arrival. This is true. But

² See, e.g., HANDBOOK: Guidance on Implementing the Maritime Labour Convention, 2006 – Model National Provisions, Commentary to Title 1, Regulation 1.4 (noting concerns of blacklisting and requiring signatories to develop a system to prevent it), <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=0ahUKEwjyKaW4tjRAhWGLSYKHZNqB6kQFggcMAA&url=http%3A%2F%2Fwww.ics-shipping.org%2Fdocs%2Fdefault-source%2Ffilo-mlc-docs%2Ffilo-guidance-on-implementing-the-mlc-model-national-provisions.pdf%3Fsfvrsn%3D2&usg=AFQjCNE2Um677fTW54qU1jHO78mqfq1V3Q&sig2=a85NNvu-SCZoRBrofu7xfA>.

USCG personnel made no promises to either Mr. Menente or his wife, and he was repeatedly informed that no kind of reward could be expected or guaranteed from the present prosecution. There is no evidence Mr. Menente authorized or asked his wife to make any type of request. On this point, USCG personnel photographed all of Mr. Menente's text messages with his wife from his phone (which were then turned over to the defense). These personal, private, and therefore guileless messages revealed that Mr. Menente believed that pollution of the ocean was a very serious matter, and that he was motivated primarily by his conscience, not by the possibility of a reward. *See Ex. 1* (highlighting and redaction of personal data added). To the extent his wife was concerned about a reward, the evidence defendants presented at trial in an attempt to impeach Mr. Menente through her demonstrated that she was most interested in making sure her family could be provided for, given the uncertainty over whether her husband could continue to work as a mariner.

In reporting the present misconduct, Mr. Menente defied his two immediate superiors and his employers, at great personal risk. His career as a mariner is likely over. He endured serious personal hardship to cooperate with the USCG. The amount requested by the Government is by no means a windfall. It fulfills the purpose of incentivizing individuals who are aware of illegal conduct when a vessel enters the United States to report such activity, even in the face of the threat of loss of employment and retaliation by foreign actors over whom the United States lacks jurisdiction. The government respectfully requests the Court award him \$100,000 of the penalty attributable the APPS conviction.

Charlie Sarduma, Reynaldo Villegas, and Anthony Reyes:

Charlie Sarduma served as the vessel's Fourth Engineer, Reynaldo Villegas as an Oiler, and Anthony Reyes as a Wiper. These are all subordinate positions in the Engineering Department. The government requests the Court to provide each defendant with a \$10,000 reward. The

government's request for these witnesses is smaller because they directly and voluntarily participated in ocean pollution, did not come forward at first with evidence, and initially lied to USCG inspectors on the order of the defendants. Nonetheless, soon after making false statements, each crewmember admitted to his conduct at sea and admitted that he had lied. Their initial false statements are mitigated somewhat by the fact that they were in a foreign country with a foreign employer and had been ordered to do so by supervisors in an profession in which following orders is generally regarded as essential (though clearly this order should not have been followed). Each of these crewmembers subsequently provided valuable information about the vessel's illegal practices that directly contributed to conviction. Moreover, each voluntarily agreed to remain in the United States until trial, and the government believes their statements to investigators and subsequent testimony are generally consistent and credible. Now that they have returned home, they face the substantial possibility of blacklisting. A small reward payment would recognize their cooperation and could assist their transition to new employment in their home country of the Philippines or elsewhere.

Ronald Belleza:

Mr. Belleza served as the vessel's Fitter, or welder. His cooperation and the information he provided to the USCG are similar to what was provided by Mr. Sarduma, Mr. Villegas, and Mr. Reyes. Mr. Belleza did not make false statements to investigators. The government respectfully requests whistleblower compensation of \$15,000 for Mr. Belleza.

Reynaldo Punay:

Mr. Punay was a member of the deck crew of the *M/V Ocean Hope*. He provided information about how garbage was collected and sorted on the deck, and he stated that he never saw a magic pipe on deck, corroborating that it was thrown into the ocean. Mr. Punay agreed to stay in the United States through trial at the request of the government, which sought to preserve

his testimony in light of a claim by corporate defendants that it was exculpatory. The government respectfully requests whistleblower compensation of \$5,000 for Mr. Punay.

HISTORICAL APPS PAYMENTS

As set forth below, there have been many other cases in which an award has been issued pursuant to Section 1908 of APPS, including but not limited to:

- *United States v. DSD Shipping, AS*, No. 15-CR-00102-CG (S.D. Al. 2016): award of \$750,000 divided between two crewmembers, the maximum amount available.
- *United States v. Marine Managers, Ltd.*, No. 14-118 (E.D.L.A. 2015): award of \$100,000 to two crewmembers, for a total of \$200,000, the maximum award available.
- *United States v. Diana Shipping Services S.A.*, No. 2:13-CR-00040 (E.D.V.A. 2013): award of \$75,000 to two crewmembers for a total of \$150,000, the maximum award available.
- *United States v. Giuseppe Bottiglieri Shipping Company S.P.A., et al.*, No. 1:12-CR-00057 (S.D.A.L. 2012): award of \$500,000 to five crewmembers, the maximum award available.
- *United States v. Odysea Carriers, S.A., et al.*, No. 2:12-CR-00105 (E.D.L.A. 2012): award of \$183,000 to one crewmember, the maximum award available.
- *United States v. Target Ship Management Pte. Ltd., et al.*, No. 1:11-CR-00368 (S.D.A.L. 2012): award of \$250,000 to one crewmember following imposition of \$1,000,000 fine.
- *United States v. Ilios Shipping Company S.A., et al.*, No. 2:11-CR-00286 (E.D.L.A. 2012): award of \$350,000 to one crewmember, the maximum award available.
- *United States v. Keoje Marine Co. Ltd., et al.*, No. 1:11-CR-01258 (D. Hawaii 2012): award of \$150,000 paid to one crewmember, the maximum award available.
- *United States v. Noka Shipping Company Limited*, No. 2:11-CR-00534 (S.D.T.X. 2011): award of \$250,000 to one crewmember, the maximum award available.
- *United States v. Ionia Management, S.A.*, No. 3:07-CR-134 (D. Conn. 2011): awards of \$550,000, \$350,000 and \$350,000 to three crewmembers who petitioned for awards, and awards of \$75,000, \$25,000, \$25,000 and \$25,000 for nonmoving crewmembers, the maximum award available.

- *United States v. Aksay Denizcilik Ve Ticaret A.S.*, No. 8:10-CR-00116-RAL-TGW (M.D. Fla. 2010): award of \$250,000 to two crewmembers, the maximum award available.
- *United States v. Hiong Guan Navegacion Japan Co., Ltd.*, No. 8:08-CR-494 (M.D. Fla. 2009): awards of \$253,125 and \$84,375 to two crewmembers, the maximum award available.
- *United States v. General Maritime Management (Portugal), L.D.S.*, No. 2:08-CR-00393 (S.D.T.X. 2009): award of \$250,000, the maximum award available, divided proportionately between 5 crew members.

INSTANT REQUEST FOR APPS PAYMENT

This Court has discretion to award to the crewmembers an amount up to one-half of the criminal fine imposed in connection with Count Two, and the Court may designate up to \$500,000 of the total monetary penalty as connected to this conviction. The government therefore respectfully requests the Court to order an award of \$150,000 USD to be split between crewmembers who provided information leading to conviction. Should the Court grant this motion, the government respectfully requests that the Clerk of Court issue a check made out to each witness individually. In order to ensure its safe delivery, the government respectfully requests the checks be sent via Federal Express to the Department of Justice Attaché in Manila, Philippines at:

U.S. Department of Justice
 2nd Floor, NOX 2 Building
 Chancery Compound
 1201 Roxas Blvd., Ermita
 Manila 0930, Philippines
 632-301-2000 Ext. 6501
 Attention: Christopher L. Cardani
 DOJ Attaché

Thereafter, the checks will be hand-delivered by the attaché to Mr. Menente, Mr. Sarduma, Mr. Villegas, Mr. Reyes, Mr. Belleza, and Mr. Punay.

CONCLUSION

WHEREFORE, and for the reasons stated above, the government requests that this Court award a portion of the fine assessed against Oceanic and Oceanfleet to the whistleblowers in this case. A proposed order is attached to this Motion.

Respectfully submitted, this the 31st day of January, 2017.

Respectfully submitted,

JEFFREY H. WOOD
Acting Assistant Attorney General
Environment and Natural Resources Division
United States Department of Justice

BY:

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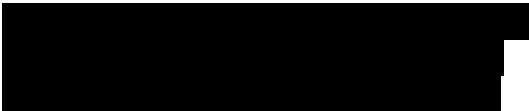

CERTIFICATE OF SERVICE

I hereby certify that, on January 31, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel for defendant.

/s/ Brendan Selby
Brendan Selby
Trial Attorney
Environmental Crimes Section
U.S. Department of Justice

EXHIBIT 1

	Hambalan moman nga n d d cla mg inform sa ocean fleet kg sa master para asta pg abot sa America ara pa ag deposito na langis send q da ag email ad 13:44	Tell them to not inform the Ocean Fleet and captain so that until we get to America the oil deposited would still be there. Will send you the email address. 13:44
	Hyundai merchant marine co.ltd.bulk liner operation team.pic:nathan [REDACTED] 13.49	Hyundai merchant marine co.ltd.bulk liner operation team.pic:[REDACTED] [REDACTED] 13.49
	May duty pako txt klang ky tapos q duty damo pko e txt sa imo. N d ko masekmura ag ila nga gimahimo gusto nila sunodsunoran lng ako ky n d akoya mangawat. 13:52	I still have my duty just text me after my duty I have more to text you. I cannot stomach what they are doing. They want me to blindly follow, I do not want to steal. 13:52
	May bago nga telex sbong mabunkering sa panama. N d lng anay pg imform sa charter after panama nln ky basi ma hold ag barko sa panama ky mga mapy na cla. 18:08	There is a new telex, it says we'd be bunkering in Panama. Don't let the charterer know just yet. Do so after Panama because the ship might be held in Panama because they have a mafia. 18:08
	Sa 6m aryb kmi sa panama sa 7 maagi kmi basi sa 8 gwa n ng panama. Try qda send mga pic @ video pg my internet sa panama mga ebedensya e mo mn sa charter. 19:11	We'll get to Panama on the 6th, we'll pass by the 7th and maybe by the 8th, we'll be out of Panama. I will try to send the pictures and video if we have internet in Panama, your evidences send them to the charter. 19:11
	Pg abot sa America damo q pakita sa ila mga ilegal business kha q video kg pics wala gd cla kabalo nga nasundan q cla. Pinag initan q nla ky indi q nla mkumbensi. 19:11	When we get to America, there are a lot of illegal business that I will show caught on video. They had no idea that I was able to tail them. They are picking on me because they could not convince me. 19:11

	Amo na ag paihi nataymingan q ag mga superior q mga kawatan cling q dgay n ako nag barko wala qna ya gahimo ky n d ko pakaunon ag pmelya q sng kinawatan 19:17	I chanced upon my superiors who are thieves when I went to pee. I said, I have been a seafarer a long time, I do not do that because I will not feed my children proceeds from stealing. 19:17
	<u>Fri, 2015/07/03</u>  06:54	I was able to get the charter's address from the c/mate Subremisana, cousin of the 2/e. Their house is behind  that we go to. 06:54
	Naga plano nmn cla subong nga duganagn ag deposit ng langis sigi pa bantay q sa ila dugang ebedensya pg abot sa America Imbutany kmi sa korti ky u.s. coastgward ag mg hawak sa akon sa isa ka case.ag sa charter lain mn ina mga case bali duwa tanan. Mas mabug at sa coastgward did2 q nlang eopen pg abot. 07:02	They are planning to add the deposit of oil, I am keeping an eye on them for additional evidence when we get to America. We will see each other in court because the u.s. coast guard will handle me in this other case. The charterer has a different case. So it's 2 in total. The one for the coast guard is more serious, I will open it then when I get there. 07:02
	<u>Sat, 2015/07/04</u> Lihog search sa internet tel. number ng u.s. coast gward kng n d mo makuha contact ky pingping ky kabalo n cla nga taga call center. Asap. 08:15	Please search for the u.s. coast guard's tel. number on the internet. If you cannot find it, contact Pingping because he's from a call center, he would know. Asap. 08:15
Looy gd ko sa imo dra. Im here to help in prayers.. god is good d bla! B positive. Gna pangita pa ni langging ang phone #. 08:48		I pity you there. Im here to help in prayers.. god is good right? Be positive, Langging is searching for the phone #. 08:48
	May nagblig d sa akon hlungkat papeles ari n s akon ag tel. # ka u.s. coastgward peparasyon ko ini kng kinanglan kna ag ila bulig. Tatlo kmi d sbong ga isa sekrito. 12:32	Someone helped me look for papers, I have the us coast guard tel. #. I am getting ready, I might need their help. There are three of us who know this secret. 12:32

Dad plz pray idangup sa ginoo indi magsalig sa kusog kg san a hibal an mo. Ang dios nagalantaw. Indi ko gusto nga mamroblema ka sa mga anak takun ano ma 23:03		Dad pls pray, give it all up to god. Do not trust in your own strength and your own knowledge. God is watching. I don't want you to have any problems with your kids or whatever 23:03
tabo, let god handle everything! Magpa ubos kg have patient para may peace of mind kta. Indi ko kaya madula ka kg indi ko ni masarangan mga bata ta. Knang 23:04		Happens, let god handle everything! Be humble and have patience so we can have peace of mind. I cannot handle losing you. I won't be able to handle our kids without you. 23:04
lanun ka namun. 23:04		We need you. 23:04
	<u>Sun, 2015/07/05</u> Be4 arrival in u.s.a. m kol ako sa u.s. coastguard antis q ihatag ag video o ebedensya may condition. Tanan kita esyuhan sng u.s. visa kg bigyan work sa America sugot ko dayon ky ag is aka kaso pyete kadako ag equivalent nya ay murder. Ag sa charter na kaso gamay lng ina kulong mn cla japon. 05:53	Before arrival in u.s.a. I will call the u.s. coast guard, before I give the video or evidence, there's a condition. That they should give all of us u.s. visas and to give us work in America. I will immediately agree because this other case is really huge it is equivalent to murder. The charter's case is small but they will still be in jail. 05:53
	Sa d n kmo subong ngaa wala mo ginasabat? 09:11	Where are you now? Why are you not answering? 09:11
Ari na kami blay., grabe d b ulan amo nga pasado 4pm kami ka lakat ni ken 09:40		We're here at home. It was raining so hard that's why it was past 4 when Ken and I were able to leave. 09:40
	Kontakon m cla sa email ad nga ag barko going to welmington u.s.a. kng mg agre cla tgaan ta u.s. visa para sa proteksyon sa family for our own safety deal kita. 09:49	Contact them using the email address tell them that the ship is on its way to Wilmington, USA. If they agree in giving us the US visas, it's for our own protection and we're dealing for our safety. 09:49

	Pg bitaw sa panama amo ag pg kontak mo sa u.s. coastguard.ag case oil spill murder ina nga kaso coz u kill all d living thing 09:56	Contact the u.s. coast guard after we pass Panama. The case is oil spill that is murder because you kill all the living thing. 09:56
	u.s coastguard.e mail D05-SMB-D5CC@uscg.mil may isa pa atlantic area-Do5-SMB-LANTCmdCtr@uscg.mil 10:09	U.S. Coast Guard email D05-SMB-D5CC@uscg.mil here is another one for the atlantic area-D05-SMB-LANTCmdCtr@uscg.mil 10:09
	u.s. coastguard tel # +12022672675. san diego-+16192787033 los angeles-+1310523801 san Francisco +14153993547 10:15	U.S Coast Guard tel # +12022672675. san diego-+16192787033 los angeles-+1310523801 san Francisco +14153993547 10:15
	Estimated arrival in u.s.a. july 12 warningan mo cla wala sng mg report sa opis. Fleet kg master sa barko ako ag una nila pangitaon. Pg sure kuha kmo passport. 10:32	Estimated arrival in USA is July 12. Warn them not to report to the office, fleet and the master on the ship. To look for me first. Once we're sure, you should get passports. 10:32
Ok copy.. God bless. Buas manawag ko mapaload ko dako para makuntak. Anu nga place sa port nga dungkaan nyo ang pinakamalapit nga tawag 10:32		Ok copy.. God bless. Tomorrow I will call, I will load up more so I could make contact. What is the place of port that you docked, the closest that I could 10:32
An ko sa tatlo nga tel nga gn send mo 10:33		Call using the three telephone that you sent? 10:33
	E turn over kamo sa Wilmington us coastguard ky didto ma dak ag barko didto ihambal ag tanan na hawak ta ag ebedensya. N d mg hatag sng name sng barko. 10:38	Have them turn it over to Wilmington US Coast Guard because that is where the ship wil dock. I will tell them all the evidence I have there. Do not give the name of the ship. 10:38

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:15-CR-00108-H-3
NO. 7:15-CR-00108-H-4

UNITED STATES OF AMERICA)
) **ORDER [Proposed]**
 v.)
)
 OCEANIC ILLSABE LIMITED, AND)
 OCEANFLEET SHIPPING LIMITED)

This matter comes before the Court upon the government's motion for a statutory award payment pursuant to 33 U.S.C. § 1908(a).

Upon due consideration, the motion is GRANTED. It is hereby ORDERED that from the total fine to be paid by Oceanfleet Shipping Limited and Oceanic Illsabe Limited, an award of \$150,000 attributable to Count Two of this case, shall be paid to the following individuals in the following amounts:

Vicente Rey Makilan Menente - \$100,000

Charlie Dupit Sarduma - \$10,000

Reynaldo Tismo Villegas - \$10,000

Anthony Abuan Reyes - \$10,000

Ronald Diamante Belleza - \$15,000

Reynaldo Batindaan Punay - \$5,000

It further **ORDERED** that the Clerk of the Court issue a check payable to the individuals and in the amounts stated above and sent to:

U.S. Department of Justice
2nd Floor, NOX 2 Building
Chancery Compound
1201 Roxas Blvd., Ermita
Manila 0930, Philippines
632-301-2000 Ext. 6501
Attention: Christopher L. Cardani
DOJ Attaché

This ____ day of _____, 2017.

Malcolm J. Howard
Senior United States District Judge

At Greenville, NC