**SAO 245E** 

(Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants

# UNITED STATES DISTRICT COURT

EASTERN		District of	trict of LOUISIANA		
UNITED STATES OF AMERICA ${f V}.$		JUDGMENT IN A CRIMINAL CASE (For Organizational Defendants)			
STANSHIPS, INC.		MICHAEL CH	CASE NUMBER: 2:10CR00172-001 "C"  MICHAEL CHALOS AND G. BEAUREGARD GELPI		
THE DEFENDANT	ORGANIZATION:	Defendant Organiza	tion's Attorney		
X pleaded guilty to coun	t(s) 1 AND 2 OF THE BILL UNCONDITIONALLY		UNE 23, 2010. PLEA ACCE	EPTED	
pleaded nolo contende which was accepted by					
was found guilty on co					
The organizational defenda	ant is adjudicated guilty of the	se offenses:			
Title & Section 33 U.S.C. § 1908(a) 33 U.S.C. §§ 1908(a), 1321(b)(3), and	Nature of Offense VIOLATION OF THE POLLUTION FROM S Maintain an accurate Oi VIOLATION OF THE (Knowing Discharge of	HIPS (Failure to il Record Book) CLEAN WATER ACT	Offense Ended 05/14/2010 05/2010	<u>Count</u> 1	
1319(c)(2)(A)	Oil into the Navigable V States)	Waters of the United			
The defendant orga	nization is sentenced as provid	led in pages 2 through	5 of this judgment.		
It is ordered that the of name, principal business are fully paid. If ordered changes in economic circum	ne defendant organization mus address, or mailing address un to pay restitution, the defenda mstances.	t notify the United States atto til all fines, restitution, costs, ant organization must notify	orney for this district within 30 and special assessments impost the court and United States a	days of any change sed by this judgment attorney of material	
Defendant Organization's Federal Employer I.D. No.:	N/A	SEPTEMBER 2			
Defendant Organization's Princip	al Business Address:	Date of Imposition of	of Judgment		
115 VASSILEOS PAVLO	U, VOULA 16673 GREECE	- Arron	ex113ely		
ORGANIZATIONAL REI	PRESENTATIVE:	Signature of Jud	ge O		
DONALD ROBOHM - VI	CE PRES. OF OPERATIONS	HELEN G. BER  Name and Title of Ju	RRIGAN, UNITED STATES I	DISTRICT JUDGE	
26 BROADWAY, SUITE	947		aug.		
NEW YORK, NY 10004		OCTOBER 1,20 Date	OCTOBER 1,2010 Date		
COURT RECORDER: BONNIE	HEBERT				

U.S. ATTORNEY: DOROTHY MANNING TAYLOR U.S. PROBATION OFFICER: DAVID L. ARENA COURTROOM DEPUTY: KIMBERLY COUNTY

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Sheet 2 — Probation

Judgment—Page 2 of 5

DEFENDANT ORGANIZATION: STANSHIPS, INC.

CASE NUMBER: 2:10CR00172-001 "C"

#### **PROBATION**

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

3 YEARS AS TO COUNTS ONE AND TWO, SUCH TERMS TO RUN CONCURRENTLY

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 SHALL PAY TO THE UNITED STATES A FINE IN THE AMOUNT OF \$275,000.00 AS TO COUNT 1, AND \$250,000 AS TO COUNT 2. THE TOTAL FINE OF \$525,000 SHALL BE PAID WITHIN ONE YEAR.

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).

SEE SPECIAL CONDITIONS OF SUPERVISION (PAGE 3)

# 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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AO 245E (Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants

Sheet 2B — Probation

DEFENDANT ORGANIZATION: STANSHIPS, INC

CASE NUMBER: 2:10CR00172-001 "C"

Judgment—Page 3 of 5

### SPECIAL CONDITIONS OF SUPERVISION

- 1. The defendant shall make a community service payment of \$175,000, which shall be paid to the National Fish and Wildlife Fund and earmarked for the purpose of funding habitat conservation, protection, restoration and management projects to benefit fish and wildlife resources and the habitats on which they depend in the Eastern District of Louisiana. Because the community service payment is designated as community service by an organization, the defendant will not seek any reduction in its tax obligations as a result of these payments. In addition, since the payment constitutes community service, the defendant will not characterize, publicize, or refer to the payment as a voluntary donation or contribution.
- 2. The defendant shall comply with all requirements of an Environmental Compliance Plan which is attached to the plea agreement.
- 3. The \$500,000 being held in escrow pursuant to a security agreement between the defendant and the United States Coast Guard shall be released as follows: \$175,000 to the National Fish and Wildlife Fund and the balance paid toward the criminal fine.

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AO 245E (Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants Sheet 3 — Criminal Monetary Penalties

Judgment — Page **DEFENDANT ORGANIZATION:** STANSHIPS, INC CASE NUMBER: 2:10CR00172-001 "C" CRIMINAL MONETARY PENALTIES The defendant organization must pay the following total criminal monetary penalties under the schedule of payments on Sheet 4. Assessment Fine Restitution **TOTALS** 525,000.00 \$ 175,000.00 800.00 ☐ The determination of restitution is deferred until . An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination. The defendant organization shall make restitution (including community restitution) to the following payees in the amount listed below. If the defendant organization makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid. Total Loss\* **Restitution Ordered Priority or Percentage** Name of Payee NATIONAL FISH AND 175,000.00 WILDLIFE FUND **TOTALS** 175,000.00 Restitution amount ordered pursuant to plea agreement \$ The defendant organization shall pay interest on restitution or a fine of more than \$2,500, unless the restitution 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). П The court determined that the defendant organization does not have the ability to pay interest, and it is ordered that: the interest requirement is waived for the ☐ fine restitution. the interest requirement for the  $\Box$  fine restitution is modified 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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(Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants Sheet 4 — Schedule of Payments AO 245E

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DEFENDANT ORGANIZATION: STANSHIPS, INC.

2:10CR00172-001 "C" CASE NUMBER:

# **SCHEDULE OF PAYMENTS**

Hav	ing a	assessed the organization's ability to pay, payment of the total criminal monetary penalties are due as follows:				
A		Lump sum payment of \$ due immediately, balance due				
		☐ not later than, or ☐ in accordance with ☐ C or ☐ D below; or				
В	X	Payment to begin immediately (may be combined with $\Box$ C or $X$ D below); or				
C		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				
D	X	Special instructions regarding the payment of criminal monetary penalties:  THE SPECIAL ASSESSMENT IS DUE IMMEDIATELY.  THE FINE IN THE AMOUNT OF \$525,000.00 SHALL BE PAID WITHIN ONE YEAR.				
		inal 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.				
	Join	nt and Several				
	Def	Fendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and responding payee, if appropriate.				
	The	e defendant organization shall pay the cost of prosecution.				
	The	e defendant organization shall pay the following court cost(s):				
	The	e defendant organization shall forfeit the defendant organization's interest in the following property to the United States:				

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.