

Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STX PAN OCEAN CO., LTD.,

Defendant.

NO. CR08-5653BHS

ORDER RE:
WHISTLEBLOWER AWARD

The government has requested the sum of Two Hundred and Fifty Thousand Dollars (\$250,000), or one-half of the criminal fine assessed against Defendant STX PAN OCEAN CO., LTD., be paid in equal shares to Romualdo B. Estaris and Anthony B. Rubio pursuant to the Act to Prevent Pollution from Ships, Title 33, United States Code, Section 1908(a) (APPS).


Messrs. Estaris and Rubio served as crew members onboard the M/V PAN VOYAGER, a marine motor vessel owned and operated by the Defendant STX PAN OCEAN CO., LTD. The information they provided to the government was critical in initiating the investigation and successfully prosecuting this case. As a result of Messrs. Estaris and Rubio's actions, Defendant STX PAN OCEAN CO., LTD. has agreed to pay a Five Hundred Thousand Dollars (\$500,000) criminal fine for violating APPS.

This Court has the authority and discretion to issue a monetary award of up to one-half of any criminal fine to those providing information leading to a conviction under APPS. 33 U.S.C. § 1908(a). Based on the entire record of this case, including the

1 government's motion and the information provided in both court pleadings and
2 proceedings, this Court finds an award in this matter would be consistent with the manifest
3 purpose of the statute of encouraging those with information about unlawful conduct to
4 come forward and disclose that information to authorities.

5 IT IS HEREBY ORDERED that a total payment in the amount of Two Hundred
6 and Fifty Thousand Dollars (\$250,000) or one-half of the criminal fine assessed against
7 Defendant STX PAN OCEAN CO., LTD. be awarded to Romualdo B. Estaris and
8 Anthony B. Rubio. The award shall be payable following the Clerk's receipt of the
9 criminal fine from Defendant STX PAN OCEAN CO., LTD. The Clerk's Office is
10 directed to pay Messrs. Estaris and Rubio's award to their counsel, Michael G. Martin, in
11 accordance with an executed "Authorization to Receive Payment" in which Messrs.
12 Estaris and Rubio authorize Mr. Martin to receive payment on their behalf.

13 DATED this 3rd day of October, 2008.

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BENJAMIN H. SETTLE
United States District Judge

19 Presented by:

20 JEFFREY C. SULLIVAN
21 United States Attorney

22 s/ *James D. Oesterle*

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