

**U.S. District Court
Western District of Louisiana (Lake Charles)
CRIMINAL DOCKET FOR CASE #: 2:18-cr-00366-DEW-KK-1**

Case title: USA v. Interorient Marine Services Ltd

Date Filed: 12/20/2018
Date Terminated: 03/01/2019

Assigned to: Judge Donald E
Walter
Referred to: Magistrate Judge
Kathleen Kay

Defendant (1)

Interorient Marine Services Ltd
TERMINATED: 03/01/2019

represented by **Daphne P McNutt**
Barry & Co (NO)
612 Gravier St
New Orleans, LA 70130
504-525-5553
Fax: 504-525-1909
Email: dmcnutt@barrylawco.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Briton P Sparkman
Chalos & Co
7210 Tickner St
Houston, TX 77055
713-574-9582
Fax: 866-706-4577
Email: bsparkman@chaloslaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED
Designation: Retained

George M Chalos
Chalos & Co
7210 Tickner St
Houston, TX 77055
713-574-9582
Fax: 866-702-4577
Email: gmc@chaloslaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

ENFORCEMENT – CRIMINAL
PENALTIES – Knowing Failure
to Maintain an Accurate Oil
Record Book
(1)

Highest Offense Level (Opening)

Felony

Terminated Counts**Disposition**

Defendant is sentenced to 4 years probation;
\$2,000,000 fine; \$400 special assessment

Disposition

None

Highest Offense Level
(Terminated)

None

Complaints

Disposition

None

Respondent

Vjaceslavs Birzakovs

represented by **Michael W Magner**
Jones Walker (NO)
201 St Charles Ave Ste 5100
New Orleans, LA 70170
504-582-8316
Fax: 504-589-8316
Email: mmagner@joneswalker.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Thomas Carey Wicker , IV
Jones Walker (NO)
201 St Charles Ave Ste 5100
New Orleans, LA 70170
504-582-8150
Fax: 504-589-8150
Email: twicker@joneswalker.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Plaintiff

USA

represented by **Daniel J McCoy**
U S Attorneys Office (LAF)
800 Lafayette St Ste 2200
Lafayette, LA 70501
337-262-6618
Fax: 337-262-6682
Email: daniel.j.mccoy@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Stephen Da Ponte
U S Dept of Justice Env & Natural
Resources (D St)
601 D St N W Rm 3730
Washington, DC 20044-7611
202-305-2729
Email: stephen.daponte@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Docket Text
------------	---	-------------

12/20/2018	<u>1</u>	BILL OF INFORMATION as to Interiorient Marine Services Ltd (2) count(s) 1. (crt,Bray, K) (Entered: 12/20/2018)
12/20/2018	<u>2</u>	DEFENDANT INFORMATION SHEET filed under seal as to Interiorient Marine Services Ltd (1) (crt,Bray, K) (Entered: 12/20/2018)
01/30/2019	<u>3</u>	NOTICE of Attorney Appearance: Daphne P McNutt appearing for Interiorient Marine Services Ltd (1) (Attorney Daphne P McNutt added to party Interiorient Marine Services Ltd(pty:dft)) (aty,McNutt, Daphne) (Main Document 3 replaced with properly formatted pdf image on 1/31/2019) (YocumSld, M). (Entered: 01/30/2019)
01/30/2019	<u>4</u>	MOTION for George M. Chalos to Appear Pro Hac Vice (Admission fee: \$ 105, receipt number 0536-3862876) by Interiorient Marine Services Ltd (1). Motions referred to Kathleen Kay. (Attachments: # <u>1</u> Proposed order, # <u>2</u> Certificate of good standing)(aty,McNutt, Daphne) (Entered: 01/30/2019)
01/30/2019	<u>5</u>	MOTION for Briton P. Sparkman to Appear Pro Hac Vice (Admission fee: \$ 105, receipt number 0536-3862893) by Interiorient Marine Services Ltd (1). Motions referred to Kathleen Kay. (Attachments: # <u>1</u> Proposed order, # <u>2</u> Certificate of good standing)(aty,McNutt, Daphne) Modified text on 1/31/2019 (YocumSld, M). (Entered: 01/30/2019)
01/31/2019	<u>6</u>	ELECTRONIC MINUTE ENTRY as to Interiorient Marine Services Ltd (1). Arraignment and Guilty Plea set for 2/6/2019 at 1:30 PM in Lake Charles, Courtroom 3 before Magistrate Judge Kathleen Kay. (crt,LaCombe, L) (Entered: 01/31/2019)
01/31/2019	<u>7</u>	ORDER granting <u>4</u> Motion to Appear Pro Hac Vice; George M Chalos added as to Interiorient Marine Services Ltd (1). Signed by Magistrate Judge Kathleen Kay on 1/31/2019. (crt,Bray, K) (Entered: 01/31/2019)
01/31/2019	<u>8</u>	ORDER granting <u>5</u> Motion to Appear Pro Hac Vice; Briton P Sparkman as to Interiorient Marine Services Ltd (1). Signed by Magistrate Judge Kathleen Kay on 1/31/2019. (crt,Bray, K) (Entered: 01/31/2019)
02/05/2019	<u>9</u>	ORDER REASSIGNING CASE as to Interiorient Marine Services Ltd (1). Unassigned District Judge no longer assigned to case. Case reassigned to Judge Donald E Walter for all further proceedings. The matter is referred to Magistrate Judge Kathleen Kay for purposes of conducting a felony guilty plea proceeding as consented to by the defendant. At termination of the hearing Judge Kay is to submit a Report and Recommendation. Signed by Chief Judge S Maurice Hicks, Jr on 2/5/2019. (crt,Bray, K) (Entered: 02/06/2019)
02/06/2019	<u>10</u>	CONSENT TO PLEAD Before US Magistrate Judge in a Felony Case and Waiver of Objection to Report and Recommendation on Guilty Plea by Interiorient Marine Services Ltd (1). (crt,LaCombe, L) (Entered: 02/06/2019)
02/06/2019	<u>11</u>	WAIVER OF INDICTMENT signed by Interiorient Marine Services Ltd (1). (crt,LaCombe, L) (Entered: 02/06/2019)
02/06/2019	<u>12</u>	MINUTES for proceedings held before Magistrate Judge Kathleen Kay. INITIAL APPEARANCE, ARRAIGNMENT and GUILTY PLEA as to Interiorient Marine Services Ltd (1) Count 1 held on 2/6/2019. PLEA ENTERED by Interiorient Marine Services Ltd (1) : Guilty Count 1 of the Bill of Information. IT IS ORDERED that a special assessment of \$400.00 is imposed and payable immediately. A written Report and Recommendation to Judge Walter that he accept the guilty plea and sentence will follow. The Defendant waived the 14 day delay for objecting to the Report and Recommendation. (Court Reporter: DD Juranka) (Attachments: # <u>1</u> Power of Attorney, # <u>2</u> Minutes of Meeting of Board of Directors) (crt,LaCombe, L) (Entered: 02/07/2019)
02/06/2019	<u>13</u>	PLEA AGREEMENT as to Interiorient Marine Services Ltd (1). (Attachments: # <u>1</u> Affidavit of understanding, # <u>2</u> Elements of offense and Venue, # <u>3</u> Factual basis for guilty plea, # <u>4</u> Copy of Bill of Information, # <u>5</u> Attachment A to Plea Agreement)(crt,LaCombe, L) (Entered: 02/07/2019)
02/07/2019	<u>14</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings as to Interiorient Marine Services Ltd (1) for Guilty Plea held on 2/6/2019 before Magistrate Judge Kathleen Kay. Court Reporter/Transcriber: DD Juranka, Telephone number:

		(337)214-6669, Total pages: 27. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER or the Court Reporter. Redaction Request due 3/4/2019. Redacted Transcript Deadline set for 3/14/2019. Release of Transcript Restriction set for 5/13/2019. (crt,Juranka, D) (Entered: 02/07/2019)
02/12/2019	<u>15</u>	REPORT AND RECOMMENDATIONS on Plea of Guilty as to Interiorient Marine Services Ltd (1). Objections to Report and Recommendations are waived. Signed by Magistrate Judge Kathleen Kay on 2/12/2019. (crt,LaCombe, L) (Entered: 02/12/2019)
02/13/2019	<u>16</u>	JUDGMENT ADOPTING REPORT AND RECOMMENDATIONS as to Interiorient Marine Services Ltd (1) regarding <u>15</u> Report and Recommendations on Guilty Plea. Signed by Judge Donald E Walter on 2/13/2019. (crt,Bray, K) (Entered: 02/14/2019)
03/01/2019	<u>17</u>	JUDGMENT as to Interiorient Marine Services Ltd (1), Count(s) 1, Defendant is sentenced to 4 years probation; \$2,000,000 fine; \$400 special assessment. Signed by Judge Donald E Walter on 3/1/2019. (crt,Bray, K) (Entered: 03/01/2019)
06/13/2019	<u>19</u>	MOTION for a Statutory Award Pursuant to the Act to Prevent Pollution From Ships by USA as to Interiorient Marine Services Ltd (1). Motions referred to Kathleen Kay. (Attachments: # <u>1</u> Proposed order)(aty,McCoy, Daniel) (Entered: 06/13/2019)
06/13/2019		Motions Transferred as to Interiorient Marine Services Ltd (1) regarding <u>19</u> MOTION for a Statutory Award Pursuant to the Act to Prevent Pollution From Ships . Motions referred to Judge Donald E Walter. (crt,Reeves, T) (Entered: 06/13/2019)
06/14/2019	<u>20</u>	NOTICE by Vjaceslavs Birzakovs as to Interiorient Marine Services Ltd (1) of Intention to File Reply re <u>19</u> MOTION for a Statutory Award Pursuant to the Act to Prevent Pollution From Ships (aty,Magner, Michael) (Entered: 06/14/2019)
06/14/2019		Attorney update in case as to Interiorient Marine Services Ltd (1). Attorneys Michael W Magner and Thomas Carey Wicker, IV for Vjaceslavs Birzakovs, Respondent, added. (crt,Reeves, T) (Entered: 06/14/2019)
06/17/2019	<u>21</u>	ORDER as to Interiorient Marine Services Ltd (1) re <u>19</u> MOTION for a Statutory Award Pursuant to the Act to Prevent Pollution From Ships filed by USA. Response due by 6/27/2019. Signed by Judge Donald E Walter on 6/17/2019. (crt,Bray, K) (Entered: 06/17/2019)
06/27/2019	<u>22</u>	RESPONSE in Opposition by Vjaceslavs Birzakovs as to Interiorient Marine Services Ltd (1) re <u>19</u> MOTION for a Statutory Award Pursuant to the Act to Prevent Pollution From Ships (Attachments: # <u>1</u> Exhibit A – Case Referral Powerpoint, # <u>2</u> Exhibit B – 2017 Port Slop Tank Diagram, # <u>3</u> Exhibit C – Coloma Text Messages, # <u>4</u> Exhibit D – Cases under the APPS, # <u>5</u> Exhibit E – Encarnacion Cell Phone Search, # <u>6</u> Exhibit F – Coloma Contract, # <u>7</u> Exhibit G – Spy Pictures of Captain Birzakovs, # <u>8</u> Exhibit H – USCG and CBP Electronic Notice of Arrival and Departure, # <u>9</u> Exhibit I – Interiorient Whistleblower Policy)(aty,Magner, Michael) (Entered: 06/27/2019)
06/28/2019	<u>23</u>	ORDER as to Interiorient Marine Services Ltd (1) re <u>19</u> MOTION for a Statutory Award Pursuant to the Act to Prevent Pollution From Ships filed by USA, <u>22</u> Response in Opposition filed by Vjaceslavs Birzakovs. Any Response/Reply due by 7/16/2019. Signed by Judge Donald E Walter on 6/28/2019. (crt,Bray, K) (Entered: 06/28/2019)
07/12/2019	<u>24</u>	RESPONSE to Vjaceslavs Birzakovs' Informational Brief in Opposition to a Statutory Award by USA as to Interiorient Marine Services Ltd (1) re <u>22</u> Response in Opposition,, filed by Vjaceslavs Birzakovs (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(aty,McCoy, Daniel) (Entered: 07/12/2019)
07/17/2019	<u>25</u>	ORDER granting <u>19</u> Motion for a Statutory Award Pursuant to the Act to Prevent Pollution From Ships as to Interiorient Marine Services Ltd (1). Signed by Judge Donald E Walter on 7/17/2019. (crt,Bray, K) (Entered: 07/17/2019)
08/12/2019	<u>26</u>	MOTION for an Amended Statutory Award Pursuant to the Act to Prevent Pollution from Ships re <u>25</u> Order on Motion for Miscellaneous Relief by USA as to Interiorient Marine Services Ltd (1). Motions referred to Kathleen Kay. (Attachments: # <u>1</u> Proposed order)(aty,McCoy, Daniel) (Entered: 08/12/2019)

08/12/2019		Motions Transferred as to Interorient Marine Services Ltd (1) regarding <u>26</u> MOTION for an Amended Statutory Award Pursuant to the Act to Prevent Pollution from Ships re <u>25</u> Order on Motion for a Statutory Award. Motions referred to Judge Donald E Walter. (crt,Bray, K) (Entered: 08/13/2019)
08/14/2019	<u>27</u>	ORDER granting <u>26</u> Motion for an Amended Statutory Award as to Interorient Marine Services Ltd (1). Signed by Judge Donald E Walter on 8/14/2019. (crt,Bray, K) (Entered: 08/14/2019)