

UNITED STATES DISTRICT COURT

EASTERN District of TEXAS

UNITED STATES OF AMERICA

V.

EGYPTIAN TANKER COMPANY

JUDGMENT IN A CRIMINAL CASE  
(For Organizational Defendants)

CASE NUMBER: 1:17CR00075-002

Dimitri Georgantas, Eugene Barr  
Defendant Organization's Attorney

THE DEFENDANT ORGANIZATION:

- pleaded guilty to count(s) 1, 2 & 3 of the Information
- pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.
- was found guilty on count(s) \_\_\_\_\_  
after a plea of not guilty.

The organizational defendant is adjudicated guilty of these offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
33:1908(a)	False Oil Record Book	4/26/2016	1
33:1908(a)	False Garbage Record Book	4/26/2016	2
33:1505	Obstruction of Agency Proceeding	4/26/2016	3

The defendant organization is sentenced as provided in pages 2 through 5 of this judgment.

- The defendant organization has been found not guilty on count(s) \_\_\_\_\_
- Count(s) \_\_\_\_\_  is  are dismissed on the motion of the United States.

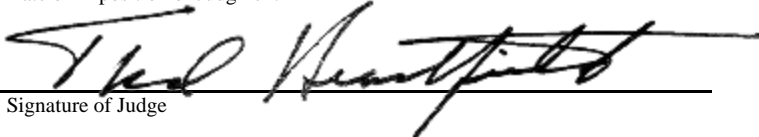
It is ordered that the defendant organization must notify the United States attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization must notify the court and United States attorney of material changes in economic circumstances.

Defendant Organization's  
Federal Employer I.D. No.: N/A

Defendant Organization's Principal Business Address:  
16 Nehrostr, Merryland  
Cairo, Egypt

Defendant Organization's Mailing Address:  
C/O Dimitri Georgantas  
1600 Smith Street, Suite 5000  
Houston, TX 77002

6/20/2017  
Date of Imposition of Judgment

  
Signature of Judge

THAD HEARTFIELD, U.S. DISTRICT JUDGE  
Name and Title of Judge

6/26/17  
Date

DEFENDANT ORGANIZATION: EGYPTIAN TANKER COMPANY  
CASE NUMBER: 1:17CR00075-002

## PROBATION

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

This term consists of 4 years as to each of Counts 1, 2, and 3 of the Information, to be served concurrently, for a total term of 4 years.

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.

DEFENDANT ORGANIZATION: EGYPTIAN TANKER COMPANY  
CASE NUMBER: 1:17CR00075-002

### **SPECIAL CONDITIONS OF SUPERVISION**

- 1) The defendants are further ordered to make a joint and several organizational community service payment in the total amount of \$400,000, which is due immediately and shall be paid in full no later than the day of sentencing (June 20, 2017). Payment shall be made in the form of a check payable to National Fish and Wildlife Foundation and mailed to the attention of its Chief Financial Officer at 1133 15th Street, NW, Suite 1000, Washington, DC 20005. The defendants shall file a Notice of Proof of Payment with the Court within five days of sentencing.
- 2) The defendant organization agrees it shall commit no further violations of federal, state or local law, including those laws and regulations for which primary enforcement has been delegated to state authorities, and shall conduct all its operations in accordance with the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 (together “MARPOL”) and the environmental laws of the United States.
- 3) The defendant organization will make payment in full in the monetary amounts set forth herein, including all special assessments, fines and restitution, and community service.
- 4) The defendant organization agrees to fund and implement the Environmental Compliance Plan (“ECP”), as set forth in the binding Plea Agreement as Attachment B, during its term of probation.
- 5) The defendant organization agrees to allow the probation office, any court appointed monitor, and/or any subject expert to examine their Oil Record Book and Garbage Record Book at any time.
- 6) The defendant organization agrees to cooperate with any third-party assisting the probation office in monitoring compliance with this Judgment.

DEFENDANT ORGANIZATION: EGYPTIAN TANKER COMPANY  
 CASE NUMBER: 1:17CR00075-002

**CRIMINAL MONETARY PENALTIES**

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

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	\$ 1200.00	\$ 1,500,000.00	\$

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.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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<b>TOTALS</b>	\$ _____	\$ _____
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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).

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  fine  restitution.

the interest requirement for the  fine  restitution is modified as follows:

\* 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.

DEFENDANT ORGANIZATION: EGYPTIAN TANKER COMPANY  
 CASE NUMBER: 1:17CR00075-002

**SCHEDULE OF PAYMENTS**

Having assessed the organization’s ability to pay, payment of the total criminal monetary penalties are due as follows:

- A  Lump sum payment of \$ 1,501,200.00 due immediately, balance due  
      not later than \_\_\_\_\_, or  
      in accordance with  C or  D below; or
- B  Payment to begin immediately (may be combined with  C or  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  Special instructions regarding the payment of criminal monetary penalties:  
     The monetary penalties are due immediately and shall be paid in full no later than the day of sentencing (June 20, 2017).

All criminal monetary penalties are made to the clerk of the court.

The defendant organization shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

1:17CR75-1 THOME SHIP MANAGEMENT PTE, LTD - Fine - \$1,500,000.00

- The defendant organization shall pay the cost of prosecution.
- The defendant organization shall pay the following court cost(s):
- The 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.