



1 Complaint. Given that the defendant vessel has on board fish  
2 worth several thousands of dollars, it is urgent that the vessel  
3 is released to transport the fish to its market before the fish  
4 lose their market value.

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6 APPLICABLE LEGAL STANDARD

7 This motion is made to request for an emergency hearing as  
8 soon as possible so that the court may consider releasing the  
9 vessel based on Rule E(6)(b) of the Supplemental Rules of Certain  
10 Admiralty and Maritime Claims. The law provides that an  
11 aggregate amount of the minimum fine or the existing market  
12 value of the vessel shall form the basis of the determination of  
13 the bond amount. This is an amount to be determined by the  
14 Court.

15 Pursuant to the UN Law of the Sea Convention (1982) which  
16 regulates foreign fishing in FSM's Exclusive Economic Zone, it  
17 provides under Article 73(2) that:

18 *Article 73*  
19 Enforcement of laws and regulations of the coastal State

20 2. Arrested vessels and their crews shall be promptly  
21 released upon the posting of reasonable bond or other  
22 security.

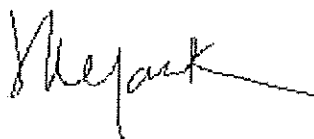
23 The defendants therefore seek the Court's kind consideration  
24 in scheduling an emergency hearing for the Court to consider a  
25 reasonable bond or surety for the purpose of releasing the  
vessel as soon as possible.

1 **CONCLUSION**

2 Based on the above submission, defendant vessel and  
3 defendant Captain request for an emergency hearing for the  
4 release of the vessel Kuo Rong 113.

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6 Dated: 22 May 2013

7 Respectfully Submitted:

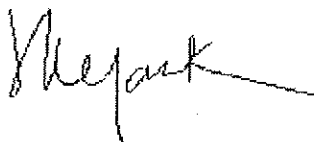
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12 Marstella E. Jack  
13 Counsel for Defendant Vessel and Captain

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15 **CERTIFICATE OF SERVICE**

16  
17 The undersigned certify that on 22 May 2013, I caused to be  
18 served a true and correct copy of the above Motion to the  
19 following office:

20 FSM Department of Justice  
21 Pole Atanraoi  
22 Palikir, Pohnpei FSM 96941

23  
24 

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Marstella E. Jack