

**FILED**  
1/21/13 3:25  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_  
By: *[Signature]*  
CLERK, FSM SUPREME COURT  
YAP  
TRIAL DIVISION

IN THE SUPREME COURT OF THE  
FEDERATED STATES OF MICRONESIA  
TRIAL DIVISION - STATE OF YAP

THE PEOPLE OF THE MUNICIPALITY OF  
EAURIPIK, YAP, by and through SANTUS  
SARONGELFEG, JOHN HAGLELGAM,  
and MOSES MOGLIG,

Plaintiffs,

v.

F/V TERAKA NO. 168, F/V YUH YOW 127,  
their engines, masts, bowsprits, boats,  
anchors, chains, cables, rigging, apparel,  
furniture, and all necessaries thereunto  
pertaining,

In Rem Defendants,

YUH YOW FISHERY COMPANY, LTD.,  
MARIN MARAWA, LTD., MASANAGA  
SHIMAZU, MALAYAN TOWAGE AND  
SALVAGE CORPORATION, HSIN HORNG  
FISHERY COMPANY, LTD., EDGAR R.  
PELEAZ, and CITY PRO MANAGEMENT,  
LTD.,

In Personam Defendants.

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FEDERATED STATES OF MICRONESIA,

Plaintiff in Intervention,

v.

F/V TERAKA NO. 168, its engines, masts,  
bowsprits, boats, anchors, chains, cables,  
rigging, apparel, furniture, and all  
necessaries thereunto pertaining,

In Rem Defendant,

YUH YOW FISHERY COMPANY, LTD.,  
MARIN MARAWA, LTD., and MASANAGA  
SHIMAZU,

In Personam Defendants.

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CIVIL ACTION NO. 2011-3002

ORDER ABOUT RAISING  
CERTAIN DEFENSES

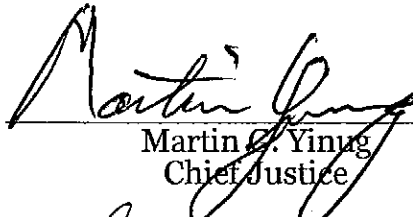
Among other affirmative defenses that have been raised by Yuh Yow Fishery  
Company, Ltd., Marin Marawa, Ltd., Malayan Towage and Salvage Corporation,

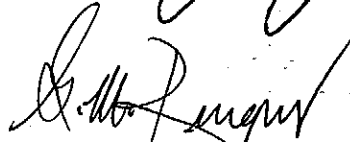
Hsin Horng Fishery Company, Ltd., Edgar R. Peleaz, and City Pro Management, Ltd. are the defenses of lack of personal jurisdiction, improper venue, insufficient process, insufficient service, failure to join indispensable party, and complaint not properly verified. Yuh Yow Fishery Company, Ltd. and Marin Marawa, Ltd. in answering the Intervenor's Complaint filed by the FSM national government also raised the defense of lack of statutory notice by the FSM for it to be a receiver.

NOW THEREFORE IT IS HEREBY ORDERED that the affirmative defenses listed above must be raised by pretrial motion filed by February 14, 2013 or they will be deemed waived.

So ordered the 21<sup>st</sup> day of January, 2013.

Entered this 21<sup>st</sup> day of January, 2013.

  
Martin C. Yimug  
Chief Justice

  
Georgia Rungun  
Assistant Clerk of Court

I served this Order re  
on (attorney) (trial counselor),  
\_\_\_\_\_ by mailing (him) (her)  
a copy at P. O. Box \_\_\_\_\_  
\_\_\_\_\_ on \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_