

**FILED**  
5/27/13 9:00  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

By:   
CLERK, FSM SUPREME COURT  
YAP  
TRIAL DIVISION

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

FEDERATED STATES OF MICRONESIA,

Plaintiff,

v.

KUO RONG 113, a long line fishing vessel,  
HUNG YAO CHANG (Captain of the fishing  
vessel), SYU BEI-JING (Permit holder), and  
LUEN THAI FISHING VENTURE, LTD.,  
(Company),

Defendants.

CIVIL ACTION NO. 2013-3001

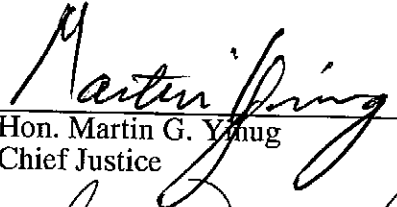
ORDER AUTHORIZING THE  
RELEASE OF ARRESTED VESSEL  
PENDING THE POSTING OF BOND

On May 24, 2013, the Court convened a telephonic hearing regarding the possibility of releasing the arrested vessel Kuo Rong 113. At this hearing Joses Gallen represented the FSM, while Marstella Jack and Steve Finnen agreed to submit to the Court a detailed listing of precisely which client/s each represents in this matter.

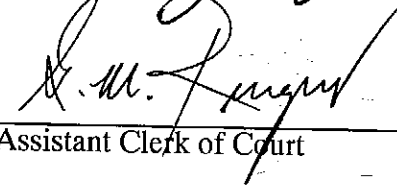
At this hearing it was agreed that the vessel should be released pending the posting of an adequate bond, pursuant to Rule E(6)(b) of the Supplemental Rules of Certain Admiralty and Maritime Claims. That Rule provides that an aggregate amount of the minimum fine *or* the existing market value of the vessel shall form the basis for the determination of the bond amount. In each instance the Court should require as a bond whichever figure is lower, in order to adhere to the purpose of the Rule which is to safeguard the interests of both the government and a ship-owner, by substituting money for a captured vessel.

1 For this reason the request of the FSM to impose a 6 million dollar bond<sup>1</sup> must be  
2 rejected. Instead, a bond equal to the value of the vessel should be deposited with the  
3 Court. NOW THEREFORE IT IS HEREBY ORDERED that a bond of \$185,000<sup>2</sup> be  
4 posted with the Court and placed into an interest bearing account prior to the dissolution  
5 of the arrest warrant for the Kuo Rong 113.

6  
7 SO ORDERED this 24<sup>th</sup> day of May, 2013.

  
Hon. Martin G. Ynug  
Chief Justice

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10 ENTERED this 27<sup>th</sup> day of May, 2013.

  
Assistant Clerk of Court

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21 <sup>1</sup> Plaintiff FSM requested that a bond of \$500,000 be imposed for each of the twelve  
22 causes of action in the Complaint. Defendants insist that all twelve causes of action stem  
23 from a single violation, and should be considered as a single cause of action which would  
24 reduce the maximum damages amount to \$500,000. Defendants concede that this issue  
25 need not be resolved at this stage of the litigation.

<sup>2</sup> \$185,000 was identified as the present value of the vessel in a valuation report dated  
May 14, 2013. At the hearing the valuation report was submitted into evidence as  
Exhibit A.