

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:

Cargo-Partner Network, B.V.
Boompjes 40 NL-3011XB
Rotterdam, Netherlands

Respondent

ORDER RELATING TO
CARGO-PARTNER NETWORK, B.V.

The Bureau of Industry and Security, U.S. Department of Commerce (“BIS”), has notified Cargo-Partner Network, B.V., of the Netherlands (“CPN B.V.”), of its intention to initiate an administrative proceeding against CPN B.V. pursuant to Section 766.3 of the Export Administration Regulations (the “Regulations”),¹ and Section 13(c) of the Export Administration Act of 1979, as amended (the “Act”),² through the issuance of a Proposed Charging Letter to CPN B.V. that alleges that CPN B.V. committed three violations of the Regulations. Specifically, the charges are:

Charge 1 15 C.F.R. § 764.2(b): Causing, Aiding or Abetting the Unlicensed Export of Items to Iran

Between on or about April 27, 2007 and on or about May 16, 2007, CPN B.V. caused, aided or abetted the doing of an act prohibited by the Regulations. Specifically, certain CPN B.V. managers and employees caused, aided or abetted the export from the United States to Iran, via transshipment through the Netherlands, of a fuel control unit and two altitude directional indicators, items subject to the Regulations³ and the Iranian Transaction Regulations (“ITR”) of

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2012). The charged violations occurred in 2007-2008. The Regulations governing the violations at issue are found in the 2007-2008 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774). The 2012 Regulations set forth the procedures that apply to this matter.

² 50 U.S.C. app. §§ 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2012 (77 Fed. Reg. 49,699 (Aug. 16, 2012)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. § 1701, *et seq.*).

³ The items are classified under Export Control Classification Numbers (“ECCNs”) 9A991 and 7A994, and are controlled for anti-terrorism reasons.

the Department of the Treasury's Office of Foreign Assets Control ("OFAC"),⁴ without the required U.S. Government authorization. Certain CPN B.V. managers and employees received the items from the United States on behalf of CPN B.V.'s Dutch customer and forwarded the items from the Netherlands to the end-users in Iran. CPN B.V. thereby caused, aided or abetted the unlicensed export of the items from the United States to Iran. Pursuant to Section 746.7 of the Regulations and Section 560.204 of the ITR, the export of the items to Iran required OFAC authorization. No such authorization was obtained. In so doing, CPN B.V. committed one violation of Section 764.2(b) of the Regulations.

Charges 2-3 15 C.F.R. § 764.2(k): Acting Contrary to the Terms of a Temporary Denial Order

On two occasions between on or about October 10, 2007 and on or about February 14, 2008, CPN B.V. took actions prohibited by a BIS Temporary Denial Order issued in accordance with Section 766.24 of the Regulations. Specifically, CPN B.V.'s New York affiliate received and forwarded adhesives and paint, items subject to the Regulations,⁵ which were exported or to be exported from the United States to Lavantia Ltd. a company located in Cyprus. Additionally, certain CPN B.V. managers and/or employees filed Shipper's Export Declarations containing false and/or misleading information thereby facilitating the items' export from the United States. At the time certain CPN B.V. managers and employees engaged in the described actions, Lavantia Ltd.'s export privileges had been denied under the Regulations by a Temporary Denial Order dated October 1, 2007, and effective when published in the *Federal Register* on October 10, 2007.⁶ The Temporary Denial Order provided that no person "may, directly or indirectly, do any of the following . . . [t]ake any action that facilitates the acquisition or attempted acquisition by the Denied Persons of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Persons acquire or attempt to acquire such ownership, possession or control."⁷ The Temporary Denial Order was effective for 180 days until April 7, 2008. As such, it continued in force at the time of the aforementioned actions of certain CPN B.V. managers and employees. In so doing, CPN B.V. committed two violations of Section 764.2(k) of the Regulations.

WHEREAS, BIS and CPN B.V. have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations, whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein; and

⁴ 31 C.F.R. § 560 (2007).

⁵ These items were designated as EAR99, which is a designation for items subject to the Regulations but not listed on the Commerce Control List. 15 C.F.R. § 734.3(c) (2007-2008).

⁶ 72 Fed. Reg. 57,520 (Oct. 10, 2007).

⁷ *Id.* at 57,521.

WHEREAS, I have approved of the terms of such Settlement Agreement; IT IS
THEREFORE ORDERED:

FIRST, CPN B.V. shall be assessed a civil penalty in the amount of \$98,000. CPN B.V. shall pay the U.S. Department of Commerce in three installments of: \$32,667 not later than October 17, 2012; \$32,667 not later than January 17, 2013; and \$32,666 not later than April 17, 2013. If any of the three installment payments is not fully and timely made, any remaining scheduled installment payments shall become due and owing immediately.

SECOND, that, pursuant to the Debt Collection Act of 1982, as amended (31 U.S.C. §§ 3701-3720E (2000)), the civil penalty owed under this Order accrues interest as more fully described in the attached Notice, and if payment is not made by the due date specified herein, CPN B.V. will be assessed, in addition to the full amount of the civil penalty and interest, a penalty charge and an administrative charge, as more fully described in the attached Notice.

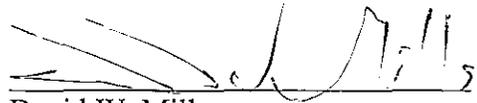
THIRD, CPN B.V.'s New York affiliate (the "New York Office") shall perform an audit of its compliance with U.S. export control laws (including recordkeeping requirements), with respect to all exports or reexports that are subject to the Regulations. The results of the audit, including any relevant supporting materials, shall be submitted to the Department of Commerce, Bureau of Industry and Security, Office of Export Enforcement, Room 253, 10 Causeway Street, Boston, MA 02222 ("BIS Boston Field Office"). The audit shall cover the 12-month period beginning on the date of the Order, and the related report shall be due to the BIS Boston Field Office no later than fifteen (15) months from the date of the Order.

Said audit shall be in substantial compliance with the EMS sample audit module, and shall include an assessment of the New York Office's compliance with the Regulations. The EMS sample audit module is available on the BIS website at http://www.bis.doc.gov/complianceand enforcement/ revised_emcp_audit.pdf. In addition, where said audit identifies actual or potential violations of the Regulations, the New York Office must promptly provide copies of the pertinent air waybills and other export control documents and supporting documentation to the BIS Boston Field Office.

FOURTH, that the full and timely payment of the civil penalty in accordance with the payment schedule set forth above and the completion and submission of the audit as set forth above are hereby made conditions to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to CPN B.V. Accordingly, if CPN B.V. should fail to pay the civil penalty in a full and timely manner or complete and submit the audit the undersigned may issue an Order denying all of CPN B.V.'s export privileges under the Regulations for a period of one year from the date of failure to make such payment or to complete and submit the audit.

FIFTH, that the Proposed Charging Letter, the Settlement Agreement, and this Order shall be made available to the public.

This Order, which constitutes the final agency action in this matter, is effective immediately.

A handwritten signature in black ink, appearing to read "David W. Mills", written over a horizontal line.

David W. Mills
Assistant Secretary of Commerce for
Export Enforcement

Issued this 27 day of September, 2012

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:

Cargo-Partner Network, B.V.
Boompjes 40 NL-3011XB
Rotterdam, Netherlands

Respondent

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made by and between Cargo-Partner Network, B.V. of the Netherlands (“CPN B.V.”), and the Bureau of Industry and Security, U.S. Department of Commerce (“BIS”) (collectively, the “Parties”), pursuant to Section 766.18(a) of the Export Administration Regulations (the “Regulations”)¹, issued pursuant to the Export Administration Act of 1979, as amended (the “Act”).²

WHEREAS, BIS has notified CPN B.V. of its intentions to initiate an administrative proceeding against CPN B.V., pursuant to the Act and the Regulations;

WHEREAS, BIS has issued a Proposed Charging Letter to CPN B.V. that alleges that CPN B.V. committed three violations of the Regulations, specifically:

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2012). The charged violations occurred in 2007-2008. The Regulations governing the violations at issue are found in the 2007 and 2008 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774). The 2012 Regulations set forth the procedures that apply to this matter.

² 50 U.S.C. app. §§ 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2012 (77 Fed. Reg. 49699 (Aug. 16, 2012)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. § 1701, *et seq.*).

Charge 1 15 C.F.R. § 764.2(b): Causing, Aiding or Abetting the Unlicensed Export of Items to Iran

Between on or about April 27, 2007 and on or about May 16, 2007, CPN B.V. caused, aided or abetted the doing of an act prohibited by the Regulations. Specifically, certain CPN B.V. managers and employees caused, aided or abetted the export from the United States to Iran, via transshipment through the Netherlands, of a fuel control unit and two altitude directional indicators, items subject to the Regulations³ and the Iranian Transaction Regulations (“ITR”) of the Department of the Treasury’s Office of Foreign Assets Control (“OFAC”),⁴ without the required U.S. Government authorization. Certain CPN B.V. managers and employees received the items from the United States on behalf of CPN B.V.’s Dutch customer and forwarded the items from the Netherlands to the end-users in Iran. CPN B.V. thereby caused, aided or abetted the unlicensed export of the items from the United States to Iran. Pursuant to Section 746.7 of the Regulations and Section 560.204 of the ITR, the export of the items to Iran required OFAC authorization. No such authorization was obtained. In so doing, CPN B.V. committed one violation of Section 764.2(b) of the Regulations.

Charges 2-3 15 C.F.R. § 764.2(k): Acting Contrary to the Terms of a Temporary Denial Order

On two occasions between on or about October 10, 2007 and on or about February 14, 2008, CPN B.V. took actions prohibited by a BIS Temporary Denial Order issued in accordance with Section 766.24 of the Regulations. Specifically, CPN B.V.’s New York affiliate received and forwarded adhesives and paint, items subject to the Regulations,⁵ which were exported or to be exported from the United States to Lavantia Ltd. a company located in Cyprus. Additionally, certain CPN B.V. managers and/or employees filed Shipper’s Export Declarations containing false and/or misleading information thereby facilitating the items’ export from the United States. At the time certain CPN B.V. managers and employees engaged in the described actions, Lavantia Ltd.’s export privileges had been denied under the Regulations by a Temporary Denial Order dated October 1, 2007, and effective when published in the *Federal Register* on October 10, 2007.⁶ The Temporary Denial Order provided that no person “may, directly or indirectly, do any of the following . . . [t]ake any action that facilitates the acquisition or attempted acquisition by the Denied Persons of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Persons acquire or attempt to acquire such ownership, possession or control.”⁷ The Temporary Denial Order was effective for 180 days

³ The items are classified under Export Control Classification Numbers (“ECCNs”) 9A991 and 7A994, and are controlled for anti-terrorism reasons.

⁴ 31 C.F.R. § 560 (2007).

⁵ These items were designated as EAR99, which is a designation for items subject to the Regulations but not listed on the Commerce Control List. 15 C.F.R. § 734.3(c) (2007-2008).

⁶ 72 Fed. Reg. 57,520 (Oct. 10, 2007).

⁷ *Id.* at 57,521.

until April 7, 2008. As such, it continued in force at the time of the aforementioned actions of certain CPN B.V. managers and employees. In so doing, CPN B.V. committed two violations of Section 764.2(k) of the Regulations.

WHEREAS, CPN B.V. has reviewed the Proposed Charging Letter and is aware of the allegations made against it and the administrative sanctions that could be imposed against it if the allegations are found to be true;

WHEREAS, CPN B.V. fully understands the terms of this Agreement and the Order (“Order”) that the Assistant Secretary of Commerce for Export Enforcement will issue if he approves this Agreement as the final resolution of this matter;

WHEREAS, CPN B.V. enters into this Agreement voluntarily and with full knowledge of its rights, after having consulted with counsel;

WHEREAS, CPN B.V. states that no promises or representations have been made to it other than the agreements and considerations herein expressed;

WHEREAS, CPN B.V. neither admits nor denies the allegations contained in the Proposed Charging Letter;

WHEREAS, CPN B.V. wishes to settle and dispose of all matters alleged in the Proposed Charging Letter by entering into this Agreement; and

WHEREAS, CPN B.V. agrees to be bound by the Order, if issued;

NOW THEREFORE, the Parties hereby agree, for purposes of this Settlement Agreement, as follows:

1. BIS has jurisdiction over CPN B.V., under the Regulations, in connection with the matters alleged in the Proposed Charging Letter.

2. The following sanctions shall be imposed against CPN B.V. in complete settlement of the alleged violations of the Regulations relating to the transactions

specifically detailed in the Proposed Charging Letter:

a. CPN B.V. shall be assessed a civil penalty in the amount of \$98,000. CPN B.V. shall pay the U.S. Department of Commerce in three installments of: \$32,667 not later than October 17, 2012; \$32,667 not later than January 17, 2013; and \$32,666 not later than April 17, 2013. Payment shall be made in the manner specified in the attached instructions. If any of the three installment payments is not fully and timely made, any remaining scheduled installment payments shall become due and owing immediately.

b. The New York affiliate of CPN B.V. (the "New York Office") shall perform an audit of its compliance with U.S. export control laws (including recordkeeping requirements), with respect to all exports and reexports that are subject to the Regulations. The results of the audit, including any relevant supporting materials, shall be submitted to the Department of Commerce, Bureau of Industry and Security, Office of Export Enforcement, Room 253, 10 Causeway Street, Boston, MA 02222 ("BIS Boston Field Office"). The audit shall cover the 12-month period beginning on the date of the Order, and the related report shall be due to the BIS Boston Field Office no later than fifteen (15) months from the date of the Order. Said audit shall be in substantial compliance with the EMS sample audit module, and shall include an assessment of the New York Office's compliance with the Regulations. The EMS sample audit module is available on the BIS website at http://www.bis.doc.gov/complianceand enforcement/ revised_emcp_audit.pdf. In addition, where said audit identifies actual or potential violations of the Regulations, the New York Office shall promptly provide copies of the pertinent air waybills and other export control documents and supporting documentation to the BIS Boston Field Office.

c. The full and timely payment of the civil penalty agreed to in Paragraph 2.a

and the timely completion and submission of the audit in Paragraph 2.b are hereby made conditions to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to CPN B.V. Failure to make full and timely payment of the civil penalty or to complete and submit the audit as set forth above, may result in the denial of all of CPN B.V.'s export privileges under the Regulations for one year from the date of the failure to make such payment or complete and submit the audit.

3. Subject to the approval of this Agreement pursuant to Paragraph 7 hereof, CPN B.V. hereby waives all rights to further procedural steps in this matter (except with respect to any alleged violations of this Agreement or the Order, if issued), including, without limitation, any right to: (a) an administrative hearing regarding the allegations in any charging letter; (b) request a refund of any civil penalty paid pursuant to this Agreement and the Order, if issued; and (c) seek judicial review or otherwise contest the validity of this Agreement or the Order, if issued. CPN B.V. also waives and will not assert any Statute of Limitations defense, and the Statute of Limitations will be tolled, in connection with any violation of the Act or the Regulations arising out of the transactions identified in the Proposed Charging Letter or in connection with collection of the civil penalty or enforcement of this Agreement and the Order, if issued, from the date of the Order until the later of the date CPN B.V. pays in full the civil penalty agreed to in Paragraph 2.a of this Agreement or has completed and submitted the audit in Paragraph 2.b.

4. BIS agrees that upon full and timely payment of the civil penalty as set forth in Paragraph 2.a and completion and submission of the audit in Paragraph 2.b, BIS will not initiate any further administrative proceedings against CPN B.V. in connection with any

violation of the Act or the Regulations arising out of the transactions specifically detailed in the Proposed Charging Letter.

5. This Agreement is for settlement purposes only. Therefore, if this Agreement is not accepted and the Order is not issued by the Assistant Secretary of Commerce for Export Enforcement pursuant to Section 766.18(a) of the Regulations, no Party may use this Agreement in any administrative or judicial proceeding and the Parties shall not be bound by the terms contained in this Agreement in any subsequent administrative or judicial proceeding.

6. No agreement, understanding, representation or interpretation not contained in this Agreement may be used to vary or otherwise affect the terms of this Agreement or the Order, if issued; nor shall this Agreement serve to bind, constrain, or otherwise limit any action by any other agency or department of the U.S. Government with respect to the facts and circumstances addressed herein.

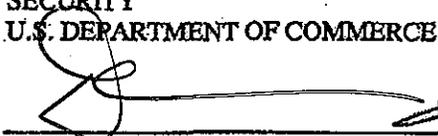
7. This Agreement shall become binding on the Parties only if the Assistant Secretary of Commerce for Export Enforcement approves it by issuing the Order, which will have the same force and effect as a decision and order issued after a full administrative hearing on the record.

8. BIS will make the Proposed Charging Letter, this Agreement, and the Order, if issued, available to the public.

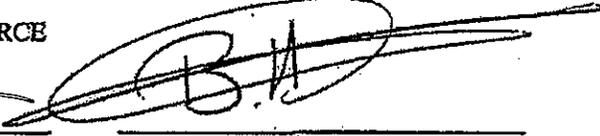
9. Each signatory affirms that he has authority to enter into this Settlement Agreement and to bind his respective party to the terms and conditions set forth therein.

BUREAU OF INDUSTRY AND
SECURITY
U.S. DEPARTMENT OF COMMERCE

CARGO-PARTNER NETWORK, B.V.



Douglas R. Hassebrock
Director of Export Enforcement

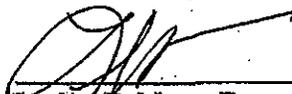


Abraham Hendrik Floris Huisman
Managing Director
Cargo-Partner Network, B.V.

Date: 9/24/2012

Date: 17/09/2012

Reviewed and approved by:



Lindsay B. Meyer, Esq.
William H. Devaney, Esq.
Venable LLP
Counsel for Cargo-Partner Network, B.V.

Date: Sept. 19, 2012

PROPOSED CHARGING LETTER

REGISTERED MAIL - RETURN RECEIPT REQUESTED

Cargo-Partner Network, B.V.
Boompjes 40 NL-3011XB
Rotterdam, Netherlands

Attention: Abraham Hendrik Floris Huisman

Dear Mr. Huisman:

The Bureau of Industry and Security, United States Department of Commerce ("BIS"), has reason to believe that Cargo-Partner Network, B.V. of Rotterdam, Netherlands ("CPN B.V."), has committed three violations of the Export Administration Regulations (the "Regulations"),¹ which are issued under the authority of the Export Administration Act of 1979, as amended (the "Act").² Specifically, BIS charges that CPN B.V. committed the following violations:

Charge 1 15 C.F.R. § 764.2(b): Causing, Aiding or Abetting the Unlicensed Export of Items to Iran

Between on or about April 27, 2007 and on or about May 16, 2007, CPN B.V. caused, aided or abetted the doing of an act prohibited by the Regulations. Specifically, certain CPN B.V. managers and employees caused, aided or abetted the export from the United States to Iran, via transshipment through the Netherlands, of a fuel control unit and two altitude directional indicators, items subject to the Regulations³ and the Iranian Transaction Regulations ("ITR") of the Department of the Treasury's Office of Foreign Assets Control ("OFAC"),⁴ without the required U.S. Government authorization. Certain CPN B.V. managers and employees received the items from the United States on behalf of CPN B.V.'s Dutch customer and forwarded the items from the Netherlands to the end-users in Iran. CPN B.V. thereby caused, aided or abetted the unlicensed export of the items from the United States to Iran. Pursuant to Section 746.7 of

¹ The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2009). The charged violations occurred during 2007 and 2008. The Regulations governing the violations at issue are found in the 2007 and 2008 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2007-2008)). The 2009 Regulations establish the procedures that apply to this matter.

² 50 U.S.C. app. §§ 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 13, 2009 (74 Fed. Reg. 41,325 (Aug. 14, 2009)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1707 (2000)).

³ The items are classified under Export Control Classification Numbers ("ECCNs") 9A991 and 7A994, and are controlled for anti-terrorism reasons.

⁴ 31 C.F.R. § 560 (2007).

the Regulations and Section 560.204 of the ITR, the export of the items to Iran required OFAC authorization. No such authorization was obtained. In so doing, CPN B.V. committed one violation of Section 764.2(b) of the Regulations.

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On two occasions between on or about October 10, 2007 and on or about February 14, 2008, CPN B.V. took actions prohibited by a BIS Temporary Denial Order issued in accordance with Section 766.24 of the Regulations. Specifically, CPN B.V.'s New York affiliate received and forwarded adhesives and paint, items subject to the Regulations,⁵ which were exported or to be exported from the United States to Lavantia Ltd. a company located in Cyprus. Additionally, certain CPN B.V. managers and/or employees filed Shipper's Export Declarations containing false and/or misleading information thereby facilitating the items' export from the United States. At the time certain CPN B.V. managers and employees engaged in the described actions, Lavantia Ltd.'s export privileges had been denied under the Regulations by a Temporary Denial Order dated October 1, 2007, and effective when published in the *Federal Register* on October 10, 2007.⁶ The Temporary Denial Order provided that no person "may, directly or indirectly, do any of the following . . . [t]ake any action that facilitates the acquisition or attempted acquisition by the Denied Persons of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Persons acquire or attempt to acquire such ownership, possession or control."⁷ The Temporary Denial Order was effective for 180 days until April 7, 2008. As such, it continued in force at the time of the aforementioned actions of certain CPN B.V. managers and employees. In so doing, CPN B.V. committed two violations of Section 764.2(k) of the Regulations.

* * * * *

Accordingly, CPN B.V. is hereby notified that an administrative proceeding is instituted against it pursuant to Part 766 of the Regulations for the purpose of obtaining an order imposing administrative sanctions, including any or all of the following:

- The maximum civil penalty allowed by law of up to the greater of \$250,000 per violation, or twice the value of the transaction that is the basis of the violation⁸;
- Denial of export privileges; and/or
- Exclusion from practice before BIS.

⁵ These items were designated as EAR99, which is a designation for items subject to the Regulations but not listed on the Commerce Control List. 15 C.F.R. § 734.3(c) (2007-2008).

⁶ 72 Fed. Reg. 57,520 (Oct. 10, 2007).

⁷ *Id.* at 57,521.

⁸ See International Emergency Economic Powers Enhancement Act of 2007, Pub. L. No. 110-96, 121 Stat. 1011 (2007).

If CPN B.V. fails to answer the charges contained in this letter within 30 days after being served with notice of issuance of this letter, that failure will be treated as a default. *See* 15 C.F.R. §§ 766.6 and 766.7 (2009). If CPN B.V. defaults, the Administrative Law Judge may find the charges alleged in this letter are true without a hearing or further notice to CPN B.V. The Under Secretary for Industry and Security may then impose up to the maximum penalty on the charges in this letter.

CPN B.V. is further notified that it is entitled to an agency hearing on the record if CPN B.V. files a written demand for one with its answer. *See* 15 C.F.R. § 766.6 (2009). CPN B.V. is also entitled to be represented by counsel or other authorized representative who has power of attorney to represent it. *See* 15 C.F.R. §§ 766.3(a) and 766.4 (2009).

CPN B.V. is further notified that under the Small Business Regulatory Enforcement Flexibility Act, CPN B.V. may be eligible for assistance from the Office of the National Ombudsman of the Small Business Administration in this matter. To determine eligibility and get more information, please see: <http://www.sba.gov/ombudsman/>.

The Regulations provide for settlement without a hearing. *See* 15 C.F.R. § 766.18 (2009). Should CPN B.V. have a proposal to settle this case, CPN B.V. or its representative should transmit it to the attorney representing BIS named below.

The U.S. Coast Guard is providing administrative law judge services in connection with the matters set forth in this letter. Accordingly, CPN B.V.'s answer must be filed in accordance with the instructions set forth in Section 766.5(a) of the Regulations with:

U.S. Coast Guard ALJ Docketing Center
40 S. Gay Street
Baltimore, Maryland 21202-4022

In addition, a copy of CPN B.V.'s answer must be served on BIS at the following address:

Chief Counsel for Industry and Security
Attention: Gregory Michelsen, Esq.
Room H-3839
United States Department of Commerce
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Gregory Michelsen is the attorney representing BIS in this case; any communications that CPN B.V. may wish to have concerning this matter should occur through him. He may be contacted by telephone at (202) 482-5301.

Sincerely,

Thomas Madigan
Director
Office of Export Enforcement