



UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
CASE NO. 06-22128-CV-KING/MCALILEY

ALBERTO JUSTO RODRIGUEZ LICEA,
FERNANDO ALONSO HERNANDEZ, AND
LUIS ALBERTO CASANOVA TOLEDO,

Plaintiffs/Judgment Creditors,

vs.

CURAÇAO DRYDOCK COMPANY, INC., A/K/A
CURAÇAOSE DOKMAATSCHAPPIJ NV, A/K/A
CDMNV,

Defendant/Judgment Debtor.

PLAINTIFFS/JUDGMENT CREDITORS' MOTION FOR A WRIT OF GARNISHMENT

COMES NOW Plaintiffs/Judgment Creditors, Alberto Justo Rodriguez Licea, Fernando Alonso Hernandez, and Luis Alberto Casanova Toledo ("Plaintiffs"), by and through their undersigned counsel, pursuant to Fed. R. Civ. P. 62, 64, and 69 and Fla. Stat. §§ 77.01 *et. seq.* and move this Court for issuance of a post-judgment writ of garnishment concerning the assets of Defendant/Judgment Debtor Curacao Drydock Company, Inc., to be served on Trafigura AG, Inc., and as grounds therefore state:

1. On October 31, 2008, this Court entered a final Judgment in favor of Plaintiffs and against Defendant/Judgment Debtor for \$80 million plus post-judgment interest at the rate set by 28 U.S.C. § 1961. DE 112.
2. On October 21, 2009, the Clerk issued a Writ of Execution for \$80,000,000.00 and interest according to 28 U.S.C. § 1961 since October 31, 2008. DE 119.
3. The Final Judgment was not appealed and the time for appeal has passed.

4. Judgment Debtor has paid none of the judgment; the entire judgment remains unsatisfied.

5. As Judgment Debtor is a foreign entity whose assets are primarily located outside of the United States, Judgment Creditors have been unable to levy on Judgment Debtor's assets.

6. Judgment Debtor is a drydock facility located in Curacao.

7. Garnishee, Trafigura AG, Inc. or its agent or alter ego is the owner and manager of a ship that is currently in repair at the Judgment Debtor's drydock facility in Curacao. As such, it owes Judgment Debtor for ship repairs.

8. Judgment Creditors suggest that garnishee, Trafigura AG, Inc., is in possession of property belonging to Judgment Debtor, Curacao Drydock Company, Inc.

9. Judgment Creditors seek a writ of garnishment pursuant to Fla. Stat. § 77.03.

WHEREFORE, Judgment Creditors request the issuance of a writ of garnishment against Curacao Drydock Company, Inc.'s property held by garnishee, Trafigura AG, Inc., in the form attached hereto and to grant any further relief as is just, fair and equitable.

Dated: March 26, 2014

Respectfully submitted,

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