Arrest of cargo, bunkers, freights and other assets to assist shipowners in their efforts to collect on unpaid bills or claims.

October 2009 London, UK.

Enrique Garza

• Privileged claim over the cargo.

• Arrest as *precautionary measure*.

• Bunker's arrest.

October 2009 London, UK. • Real case ocurred in Mexico.

Privileged claim over the cargo



October 2009 London, UK. Credits that originate privileged claims.

- Unpaid freights and accesories, loading, discharging and storage expenses.
- Recovery of sunken cargo.
- Unpaid contribution to salvage and general average expenses.

Arrest as precautionary measure.



Precautionary measure's provisions

There is a risk that the assets

will be hidden or squandered.

The debtor does not own any

assets in Mexico that

those to be arrested.

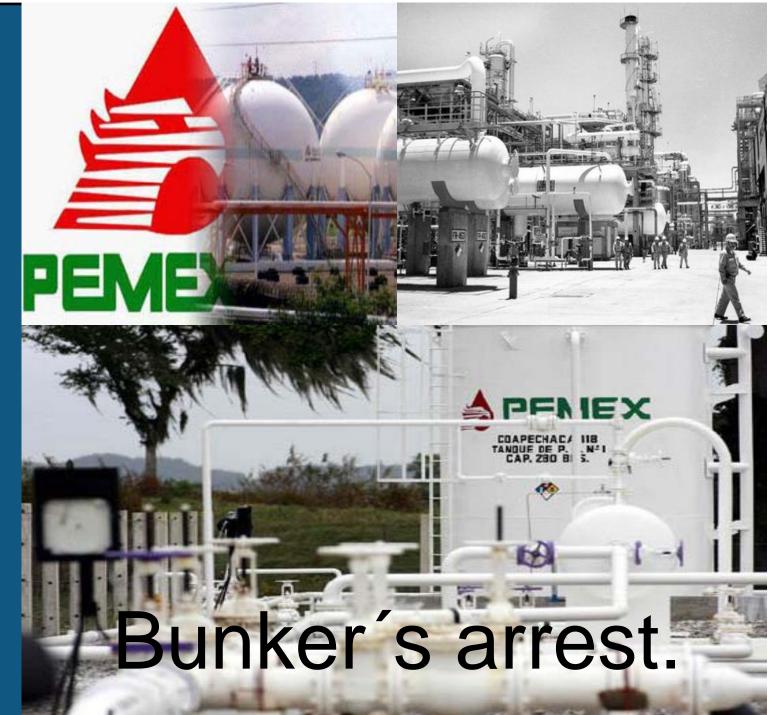
Security is posted by

the paintiff (20%-100%).

October 2009 London, UK.

Important points of the precautionary attachment.

- The plaintiff will be entitled to appoint the depositary to the goods during their arrest.
- If the assets are likely to be destroyed, lost or perishable or if their value could be reduced, the Court could order their sale.
- The palintiff has a 5 days-term to file a lawsuit.





The 'Montana Carrier' –vs-The 'Construction shipper'



THANK YOU

Camino Sta. Teresa 187-C, 5 Floor. Mexico D.F 14010 Tel: (5255) 5424 8460 Fax: (5255) 5171 0763 Mexico

www.garzatello.com