

From: Lee Wolosky
Sent: Friday, February 07, 2014 5:45 PM
To: 'Antonis.Lagadianos@incelaw.com'
Subject: FW: BERGEN MAX, HELVETIA ONE and AFRICAN WILDCAT

Dear Mr. Lagadianos:

We represent Ambassador Wallace and UANI, and this responds to your email of earlier today.

Thank you for your email. We appreciate the fact that you have finally admitted in writing on behalf of Mr. Restis what he would not and has consistently denied: That EST has in fact engaged in business in Iran. This is of course directly contrary to the many public and private statements of your client and his representatives.

Given Mr. Restis' untruthful statements about Iran, you can appreciate the fact that Ambassador Wallace and UANI have continuing concerns, particularly since your statement did not address certain areas.

For example, you failed to describe in detail ALL Iranian parties with which EST ships and their crews dealt with while in Iran -- including port operators, terminal operators, service providers and end purchasers. As you know, some of the foregoing are operated by, or by fronts for, the Iranian Revolutionary Guard Corps. You also failed to describe the duration that each such ship spent in Iranian waters and the purpose of such stays, and why vessels remained in Iranian ports beyond their discharge of cargo. You failed to provide copies of all purported OFAC licenses for such trips. Importantly, you failed to describe the cargos (if any) that such EST vessels loaded in Iran, departed Iran carrying, and the final destination of such cargo. As you may know, these matters are subject to disclosure in the U.S. litigation.

Since you and your client have chosen to address these issues outside the context of the U.S. litigation, please immediately clarify these matters without delay.

Thank you for your immediate attention to this matter.

Sincerely,

Lee Wolosky
Partner
BOIES, SCHILLER & FLEXNER LLP

From: Antonis Lagadianos [<mailto:Antonis.Lagadianos@incelaw.com>]
Sent: Friday, February 07, 2014 1:17 PM
To: Mark Wallace; info; Mark Wallace
Cc: Ioannis Stephanou
Subject: BERGEN MAX, HELVETIA ONE and AFRICAN WILDCAT

Dear Ambassador Wallace

We refer to our message of 5 February, where we explained that we would be reverting imminently with information regarding the legitimate calls to Iran by the BERGEN MAX, the HELVETIA ONE and the AFRICAN WILDCAT which contained cargoes of humanitarian food assistance that were fully in compliance with sanctions against Iran.

You have purposely ignored our message and instead inexplicably proceeded with the wrongful, inaccurate and misplaced press statements of 5 and 6 February about the BERGEN MAX and the HELVETIA ONE. These press statements intentionally convey the false message that these ships are doing business with Iran in violation of international sanctions. As you know, this is not the case.

We set out below the text of EST's response in the press today. It addresses UANI's wrongful and malicious allegations about the BERGEN MAX and the HELVETIA ONE.

QUOTE

Statement Issued by Enterprises Shipping and Trading S.A.

Piraeus, February 7, 2014

With reference to the two press releases by UANI (United Against Nuclear Iran) this week, on 5 and 6 February, Enterprises Shipping and Trading S.A. (EST) would like to clarify the following:

1. All EST managed vessels always trade in full compliance with the guidelines of US, EU, and UN imposed sanctions for Iran and have not made any calls to Iran which are in breach of these sanctions.
2. In relation to the BERGEN MAX, which is a dry bulk cargo carrier vessel:
 - (a) The vessel made three legitimate calls to Iranian ports in March / April 2012, April 2013 and January 2014 carrying wheat cargoes, on all three occasions under the OFAC regulations for humanitarian goods.
 - (b) These calls were made on the instructions of the vessel's charterer, a prominent trading house, who had the necessary licences for the trade.
3. In relation to the HELVETIA ONE, which is also a dry bulk cargo carrier vessel:
 - (a) The vessel made four legitimate calls to the Iranian port Bandar Imam Khomeini in July 2012, November / December 2012, June / July 2013, October 2013 and is currently making a fifth legitimate call at BIK, where the vessel is in the process of discharging her maize cargo. On

the vessel's four previous visits to BIK, the vessel was carrying soya and maize cargoes. On all five occasions, the cargo has been carried under the OFAC regulations for humanitarian goods.

(b) These calls were again made on the instructions of the vessel's charterers, who had the necessary licences for the trade.

The CEO of UANI has thought it appropriate to continue his wrongful and defamatory allegations in circumstances where EST had informed UANI that they would be providing them with information showing that all the calls of the BERGEN MAX and the HELVETIA ONE to Iran were legitimate, under the instructions of an OFAC authorized charterer and in full compliance with the guidelines of the US, EU and UN.

The motives of UANI in publishing such baseless and damaging press statements are highly questionable and the appropriate legal motions will be sought.

UNQUOTE

As you are aware, the charterers of the BERGEN MAX and the HELVETIA ONE in relation to the Iranian calls you have referred to are Bunge SA, part of the Bunge Global Markets Inc. group, a prominent US trading house, which appears in the list of companies posted on your own website with permission from the US Government to provide humanitarian assistance to the Iranian people.

In the meantime, in relation to your enquiry about the AFRICAN WILDCAT, which is also a dry cargo bulk carrier, we can advise as follows:

(a) The vessel made one legitimate call to the Iranian port BIK in October 2013, where she discharged a cargo of rice under the OFAC regulations for humanitarian goods.

(b) The call was made under lawful instructions of the vessel's charterer, a prominent international trading house.

We trust that this clarifies matters for UANI in relation to this vessel as well, and that UANI will refrain from making any further misguided and incorrect press statements, or any other acts in so far as EST, their managed vessels and their business partners are concerned. You are on direct notice in this regard.

EST are obliged to take actions to clear their name following the malicious, damaging and wholly unnecessary attack by UANI. Accordingly, we also put you on notice that EST will take any and all steps required in order to protect their position, legal or otherwise, as they may deem necessary.

Regards

Ince & Co