



IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
COMMERCIAL COURT (QBD)

CL-2021-000140

Before His Honour Judge Pelling QC
Sitting as a Judge of the High Court
Dated 11 March 2021

BETWEEN:

GRAND FINANCING CO

Claimant

-and-

(1) LA MERE MARITIME SA

(2) QINGDAO XU YUAN HENG INDUSTRIAL CO. LTD

Respondents

ORDER

PENAL NOTICE

If you (1) La Mere Maritime SA; (2) Qingdao Xu Yuan Heng Industrial Co Ltd. disobey this order you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized.

Any other person who knows of this order and does anything which helps or permits the Respondent to breach the terms of this order may also be held to be in contempt of court and may be imprisoned, fined or have their assets seized.

UPON considering the Claimant's application dated 11th March 2021 seeking relief in respect of a cargo of approximately 50,844.798mt of

Omani Crude oil (“the Cargo”) currently being stored in tanks at Yantai Oil Terminal (“the Terminal”)

AND UPON reading the statement of Russell Harling dated 11th March 2021, and upon hearing Counsel for the Claimant.

AND UPON the Claimant’s solicitors, Campbell Johnston Clark LLP, undertaking to hold any sums transferred to it pursuant to paragraph 2(2) of the Order below in its client account and to only release the same against an order of the Court or with the agreement of all the parties hereto.

IT IS HEREBY ORDERED THAT:

1. Until the Return Date (see paragraph 3 below) or further order of this Court:
 - (1)The Respondents are restrained, whether by themselves or through their servants or agents, from demanding, or attempting to take, delivery of the Cargo or taking any steps to obtain or procure the release of the Cargo from the Terminal.
 - (2)The Respondents are further required to expressly and unconditionally inform China Marine Shipping Agency Shandong Yantai Company Limited and/or the Terminal that they are withdrawing their request for the delivery and/or release of the Cargo (or for any assistance in respect of the same).
 - (3)The Respondents are restrained, whether by themselves or through their servants or agents, from continuing in or assisting in the continuation of proceedings brought in the Qingdao Maritime Court in relation to the Cargo, and from instituting or pursuing any

such proceedings in any jurisdiction other than in arbitration proceedings in England.

(4) The Respondents are further required to take steps to discontinue and/or withdraw the proceedings that are currently before the Qingdao Maritime Court relating to the Cargo.

2. The Claimant hereby undertakes:

(1) That should this Court hold that the Claimant was not entitled to the present order, and that the Respondents have suffered loss as a result of this order, it will make good that loss to the Respondents.

(2) To transfer forthwith the sum of USD 50,000 to the client account of Campbell Johnston Clark LLP, such sum to stand as security for any order the Court might make under subparagraph (1) above.

(3) To serve this order on the Respondents forthwith.

3. The Respondents are at liberty to apply to discharge this order upon giving at least 48 hours' notice to the Claimant. In any event, there shall be a further hearing in respect of this order ("the Return Date") on Friday 19th March 2021.

4. In relation to service:

(1) The Claimant has permission pursuant to CPR 6 PDB 3.1(6)(c) and/or CPR 62.5(1)(c) to serve the Claim Form on the First Respondent out of the jurisdiction in the Marshall Islands at The Trust Company of the Marshall Islands Inc, Trust Company Complex, Ajeltake Road, Ajeltake Island, Majuro, Marshall Islands,

MH96960. The First Respondent has 32 days to acknowledge service following service of the Claim Form on it.

(2)The Claimant has permission pursuant to CPR 62.5(1)(c) to serve the Claim Form on the Second Respondent out of the jurisdiction in the People's Republic of China at 402 Chunyang Road, Gu Miao She Qu, Chengyang Jie Dao, Chengyang District, Qingdao, PR China. The First Respondent has 24 days to acknowledge service following service of the Claim Form on it

5. The costs of this application be reserved.