UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS *Plaintiff* VERSUS M/V ATLANTIC ASPHALT, bearing IMO No. 9798428, her engines, tackle, furniture, apparel, appurtenances, etc., *in rem*, and NAVE SHIPPING SA. and THOME SHIP MANAGEMENT PTE, LTD., *in personam*	CIVIL ACTION NO. 2:26-cv-2611 **IN ADMIRALTY**, F.R.C.P. 9(h) AND RULE C

VERIFIED COMPLAINT

Plaintiff, The Board of Commissioners of the Port of New Orleans, ("The Board") files this Verified Complaint seeking damages and the *in rem* arrest of the M/V ATLANTIC ASPHALT, IMO No. 9798428, pursuant to Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims ("Supplemental Rules"); as well as damages for its *in personam* claims against Nave Shipping SA and Thome Ship Management Pte, Ltd.

In support of its Verified Complaint, The Board respectfully avers as follows:

I.
PARTIES

1. Plaintiff, The Board of Commissioners of the Port of New Orleans, is an independent political subdivision of the state of Louisiana, within the jurisdiction of this Court, with offices located at 1350 Port of New Orleans Place, New Orleans, Louisiana 70130.

2. The M/V ATLANTIC ASPHALT is a Marshall Islands flagged tanker ship, built in 2017, bearing IMO No. 9798428, with a gross tonnage of 14485 m.t. The ATLANTIC ASPHALT is currently located within the Eastern District of Louisiana and the jurisdiction of this Court.

3. This is an action against the ATLANTIC ASPHALT, its engines, tackle, apparel, boilers, equipment and appurtenances, etc., *in rem*, to enforce The Board's maritime lien over the ATLANTIC ASPHALT.

4. Nave Shipping SA ("Nave Shipping") is a corporation registered in the country of Liberia, and with its principal place of business in Liberia. According to publicly available information, Nave Shipping is the registered owner and ship manager and commercial manager of the ATLANTIC ASPHALT.

5. Thome Ship Management Pte Ltd. ("Thome") is a private limited company organizes under the laws of the country of Singapore, with its principal place of business, on information and belief, in Singapore. According to publicly available information, Thome is the ISM manager of the ATLANTIC ASPHALT responsible for the effective implementation of the "International Safety Management" Code aboard the ATLANTIC ASPHALT.

6. This is also an *in personam* action against Nave Shipping and Thome.

II.
JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1333 because this action is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure and the Supplemental Rules for Certain Admiralty and Maritime Claims, based on maritime tort.

8. Venue is proper in this district for the *in rem* claims because the ATLANTIC ASPHALT is located within this district in accordance with Supplemental Rule C(2)(c); and venue is likewise proper for the *in personam* claims pursuant to 28 U.S.C. § 1391(b).

III.
STATEMENT OF FACTS

9. The Board is the owner and operator of a dock facility along the Mississippi River in New Orleans, Louisiana, including a terminal located at Thalia Street (the "Thalia Street Terminal").

10. On November 13, 2026, at approximately 12:30 p.m., the ATLANTIC ASPHALT allided with a paddlewheel cruise ship, the AMERICAN HERITAGE (Official No. 1257187), while the AMERICAN HERITAGE was docked at the Thalia Street Terminal for disembarkation of passengers ("the Incident").

11. As a result of the ATLANTIC ASPHALT's allision with the AMERICAN HERITAGE and the Incident, The Board's Thalia Street Terminal was significantly damaged. The extent of said damage remains under investigation, but physical damage is currently estimated to exceed $1,000,000.00, with additional substantial direct, indirect and consequential damages anticipated.

12. The allision, Incident and resulting damages were caused through no fault of The Board.

IV.
CAUSES OF ACTION

COUNT 1
MARITIME LIEN

13. Paragraphs 1 - 12 are incorporated herein as if set forth in full.

14. In light of the significant damages to The Board's property and business caused by and relating to or arising out of the Incident, The Board has a maritime lien against the ATLANTIC ASPHALT *in rem*.

15. Further, as a result of the Incident, The Board has incurred and will continue to

incur additional damages and expenses including but not limited to clean-up, surveys, repair, replacement and salvage costs resulting in a maritime lien against the ATLANTIC ASPHALT *in rem*.

16. The Board has the right to enforce its maritime lien against the ATLANTIC ASPHALT to recover for all damages sustained, and that The Board continues to sustain, and that the Board may incur in any way arising out of or relating to the Incident, and for all other such legal and equitable relief as is just and due under admiralty and maritime jurisdiction.

COUNT II
NEGLIGENCE

17. Paragraphs 1-16 are incorporated herein as if set forth in full.

18. The ATLANTIC ASPHALT, Nave Shipping and Thome (and potentially other parties not yet identified with responsibility for the operation, condition, crewing and seaworthiness of the ATLANTIC ASPHALT) owed The Board a legal duty under the General Maritime Law to observe the standard of good and prudent seamanship and to exercise reasonable care to avoid the allision and the Incident.

19. The ATLANTIC ASPHALT, Nave Shipping and Thome also had a statutory duty to comply with (*inter alia*) the Inland Navigation Rules (33 C.F.R. 83.01 *et seq.*). *The Pennsylvania*, 86 U.S. (19 Wall.) 125 (1873). Defendants breached that duty by, among other things, failing to use all available means to avoid the risk of allision and by other acts or omissions which will be shown at trial. These acts or omissions, as well as other violations of statutory safety or navigational rules (to be determined as investigation continues) caused (and presumptively caused pursuant to the *Pennsylvania* Rule), the ATLANTIC ASPHALT to allide with the AMERICAN HERITAGE and subsequently damage The Board's Thalia Street Terminal.

20. A presumption of fault also arises when a vessel allides with a stationary object. *The Oregon*, 158 U.S. 186 (1895). That presumption is implicated here because the ATLANTIC ASPHALT struck the AMERICAN HERITAGE in her moorings, and in turn stationary property owned by The Board.

21. The allision occurred as a result of the negligence, gross negligence, fault or carelessness of the ATLANTIC ASPHALT, Nave Shipping, Thome (and potentially other parties not yet identified with responsibility for the operation, condition, crewing and seaworthiness of the ATLANTIC ASPHALT) and/or their principals, agents and/or employees, and/or the unseaworthiness of the ATLANTIC ASPHALT, which was within the privity and knowledge of Nave Shipping, Thome its principals, agents and/or employees.

22. As a result of the foregoing, the ATLANTIC ASPHALT, Nave Shipping, Thome (and potentially other parties not yet identified with responsibility for the operation, condition, crewing and seaworthiness of the ATLANTIC ASPHALT) are solidarily liable for all damages sustained by The Board as described herein.

23. The Board did not cause the allision and/or the damages suffered therefrom.

COUNT III
NOTICE

24. Paragraphs 1- 23 are incorporated herein as if set forth in full.

25. Pursuant to the United States Code and the Local Rules of this Court, notice of these proceedings must be given to the owner or master of the ATLANTIC ASPHALT and all persons who have recorded lien(s) with the U.S. Coast Guard, and The Board requests that the Court order such notification to be made to such persons by certified mail, delivered to their last known address on file with the United States Coast Guard.

26. A Declaration by The Board's authorized representative verifying the facts of this

Complaint is attached as Exhibit 1.

27. The Board agrees to release and hold harmless, and indemnify the United States of America, the United States Marshal, their agents, servants, employees, and all others for whom they are responsible, from any and all liability or responsibility for claims arising from the arrest or attachment of the ATLANTIC ASPHALT.

28. The Board reserves all rights to amend this Verified Complaint to add additional parties, and/or claims and causes of action, and/or categories and amounts of damages as the investigation of the Incident proceeds and as additional items or categories of damages are identified.

PRAYER

WHEREFORE, Plaintiff, The Board of Commissioners of the Port of New Orleans, respectfully requests:

a. That process *in rem* pursuant to Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims issue against the M/V ATLANTIC ASPHALT, IMO No. 9798428, her engines, tackle, apparel, boilers, equipment and appurtenances, etc., *in rem,* and that all persons having or claiming any interest therein be cited to appear in and answer, under oath, all and singular the matters aforesaid, and that the said M/V ATLANTIC ASPHALT, IMO No. 9798428, be seized and sold to satisfy the amounts owed to The Board of Commissioners of the Port of New Orleans, as set forth herein;

b. That this Court issue a final judgment *in rem* against the M/V ATLANTIC ASPHALT, IMO No. 9798428and *in personam* against Nave Shipping SA and

Thome Ship Management PTE, Ltd. in the full amount due as set forth herein, including prejudgment interest, costs, expenses and attorneys' fees;

c. That notice of these proceedings be given to the master of the M/V ATLANTIC ASPHALT; and

d. That this Court grant The Board of Commissioners of the Port of New Orleans such other and further relief which it may deem just and proper.

Dated: November 13, 2026.

Respectfully submitted,

/s/ Christopher M. Hannan

CHRISTOPHER M. HANNAN (La. Bar No. 31765)
SARA B. KUEBEL (La. Bar No. 38305)
ABIGAIL J. WEILAND (La. Bar No. 40543)
JONES WALKER, LLP
201 St. Charles Avenue – 48th Floor
New Orleans, Louisiana 70170-5100
Telephone: (504) 582-8353
Facsimile: (504) 589-8353
Email: channan@joneswalker.com
skuebel@joneswalker.com
aweiland@joneswalker.com

Attorneys for Plaintiff, The Board of Commissioners of the Port of New Orleans

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

THE BOARD OF COMMISSIONERS OF THE PORT OF NEW ORLEANS *Plaintiff* VERSUS M/V ATLANTIC ASPHALT, bearing IMO No. 9798428, her engines, tackle, furniture, apparel, appurtenances, etc., *in rem,* and NAVE SHIPPING SA., *in personam*	CIVIL ACTION NO. _____ **IN ADMIRALTY,** F.R.C.P. 9(h) AND RULE C

COMPLAINT VERIFICATION BY UNSWORN DECLARATION
(PER 28 U.S.C. § 1746) PURSUANT TO 46 U.S.C. § 41301 AND 46 C.F.R. § 502.62

1. My name is _____ and I am a person of full age and majority, and a resident and domiciliary of Louisiana.
2. I am authorized by Plaintiff The Board of Commissioners of the Port of New Orleans to execute this Verification for purposes of filing this Verified Complaint with the United States District Court for the Eastern District of Louisiana based on my involvement with the events set forth in the Verified Complaint.
3. I have read and reviewed the Verified Complaint, and exhibits thereto, being filed in this matter, and know and am familiar with the contents and allegations thereof.
4. I affirm that the facts and averments alleged in the Verified Complaint, and exhibits thereto, are true and correct based on my personal knowledge and on information and belief, including records and information received from others with knowledge; and/or based on review of said exhibits, records and information obtained therefrom; and I likewise affirm that any legal arguments, legal conclusions, and legal authorities included in the Verified Complaint are based on advices of Plaintiff's counsel in regard to the facts and averments set forth therein.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is correct and true.

EXECUTED ON THIS 13th **DAY OF** November, **2026.**

NAME: Jean-Paul A. Escudier

TITLE: Chief Legal Officer

The Board of Commissioners of the Port of New Orleans

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

The Board of Commissioners of the Port of New Orleans

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

Christopher M. Hannan, Jones Walker, LLP, 201 St. Charles Ave., Ste. 5100, NOLA 70170, 504-582-8353

DEFENDANTS

MV ATLANTIC ASPHALT, in rem, Nave Shipping SA and Thome Ship Management PTE LTD, in personam

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☒ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

INTELLECTUAL PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District *(specify)* ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing ***(Do not cite jurisdictional statutes unless diversity)***:
28 USC 1333

Brief description of cause:
Vessel arrest for property damages resulting from allision on November 13, 2026

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE
11/13/2026

SIGNATURE OF ATTORNEY OF RECORD
/s/ Christopher M. Hannan

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I.(a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below**; NOTE: federal question actions take precedence over diversity cases.**)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.

V. Origin. Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.