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# Nobu gets 18 months

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**Nobu Su has been handed an eighteen month prison sentence by an English court in a case related to unpaid charter fees for a vessel owned by NewLead Holdings of Greece.**



Nobu Su

The Taiwanese shipowner was found guilty of contempt by Justice Hamblen at the High Court in London two weeks ago but the case was adjourned to give him time to respond.

Lawyers for NewLead said Nobu Su had failed to react to the ruling even though he was clearly aware of it.

They referenced a TradeWinds article last week in which he had sought to justify why he had not attended or been represented at the hearing.

The shipowner said he had not turned up two weeks ago because it was scheduled for the same time as one of two other cases his company Today Makes Tomorrow (TMT) is engaged in.

But NewLead lawyers said this was 'an economy of the truth' and that there was no evidence of the owner being involved in other hearings on the same day.

Further, they said that Ince & Co had confirmed they were still on the record for proceedings but had not been instructed to attend the hearings.

Nobu Su had no legal representation at today's hearing.

Justice Hamblen said the shipowner had a responsibility to explain himself to the court and not to the media.

He said the case was very serious and he had contemplated handing down the maximum two-year sentence.

In the end he concluded that eighteen months was sufficient. The sentence could potentially be reduced by twelve months at the court's discretion should the contempt be purged.

The case relates to a dispute with NewLead Holdings over unpaid charter fees for the 151,700-dwt vessel Brazil (built 1995).

TMT had fixed the ship on a six-year deal with 24 December 2013 being the earliest possible delivery date.

NewLead says it withdrew the vessel with around a year and a half left to run on the period deal after TMT began to default on payments in late 2010/early 2011.

The New York-listed company is seeking \$16.4m in unpaid charter fees, damages, interest and legal costs.

NewLead obtained a world-wide-freezing order in March this year that obliged TMT to make a full asset disclosure.

The judge ruled two weeks ago that the order had been ignored and slapped the owner with a contempt charge and a writ to sequester assets.

Nobu Su claims the ship was in poor condition and that the owners misrepresented its speed and fuel-consumption data to TMT and withdrew the vessel before it was due to undertake a check to establish its performance.