



01/12/2017

# MSC Daniela – Customer Notice

- Update for customers affected by MSC Daniela incident 4/4/17
- General average declared
- Limitation fund constituted in English court

## MSC Daniela – Voyage FD711W

With regret for the continuing inconvenience to MSC Customers, MSC provides the following update in relation to this incident involving MSC Daniela.

- Following complete discharge of the vessel at Colombo, Sri Lanka sound cargo was on-carried to destination, and fire-damaged and water-damaged cargo was inspected and on-carried where possible. Where it was not possible to on-carry cargo, cargo remnants are being sold as distressed cargo. Where of no value, cargo remnants are being disposed of locally.
- MSC Customers who have suffered loss or damage by reason of water damage have already been advised to present their claims to the General Average Adjusters, Richards Hogg Lindley (“RHL”), claiming their losses as “General Average sacrifice”. RHL’s contact details are at the bottom of this Notice and they are able to advise on the procedure to be followed in order to claim in General Average.
- MSC does not consider that it has any liability for the losses caused by misdeclared dangerous cargo on board this vessel. However, in response to requests for security for any legal liability which MSC may have for fire-damaged cargo and for water-damaged cargo (to the extent not recoverable in General Average), MSC has now constituted a Limitation Fund in the English Courts (pursuant to the 1996 Protocol to the 1976 Tonnage Limitation Convention) for a principal value of approximately USD 87.2 Million. The English Court will shortly be ordering the date in 2018 by which any claimant must file his claim against this Fund in order to benefit from security for any potential claim. The six firms of English lawyers and claims recovery agents listed below (in alphabetical order) have advised MSC that collectively they are representing more than 50% of all cargoes on board the vessel and they will be able to provide advice to any other MSC Customers requiring assistance in filing claims in the English Limitation proceedings.
- If Customers require any additional advice on these matters they should contact their local MSC Agent.

## Contact details for General Average Adjusters

Parties based in Europe or Africa:  
[Info-liverpool@rhl-ct.com](mailto:Info-liverpool@rhl-ct.com)  
Richards Hogg Lindley  
4th Floor, Royal Liver Building  
Liverpool L3 1JH  
United Kingdom  
T: +44 (0)151 227 2175

Parties based in all other areas:  
[Singapore.ga@rhl-ct.com](mailto:Singapore.ga@rhl-ct.com)  
Richards Hogg Lindley  
140 Cecil Street  
#15-00 PIL Building  
069540 Singapore

## Contact details for English lawyers and claims recovery agents

	Name of Firm representing Defendant Interests	Lead Contact (s)
	<b>Clyde &amp; Co LLP</b>	Jai Sharma
1	The St Botolph Building 138 Houndsditch London EC3A 7AR	Head of Cargo Casualty  Direct Dial: +44 20 7876 5457  Mobile: +44 7771 611 681 Jai.Sharma@clydeco.com
	<b>Dolphin Maritime &amp; Aviation Services Ltd</b>	Matt Robinson
2	Dolphin House 12 Beaumont Gate Radlett WD7 7AR	Tel: + 44 (0)20 8954 8800  Fax: + 44 (0)20 8954 8844  Email: matt@dolphin-maritime.com
	<b>Kennedys Marine</b>	John Langley
3	25 Fenchurch Avenue London EC3M 5AD	Senior Associate (Senior Marine Manager)  T: +44 20 7667 9868  <a href="mailto:John.Langley@kennedyslaw.com">John.Langley@kennedyslaw.com</a>
	<b>Roose + Partners</b>	Email: joanna.waterfall@rooselaw.co.uk
4	40 Gracechurch Street London EC3V 0BT	Direct line: 00 44 (0) 203 440 3526  Mobile: 00 44 (0) 7972 078 024
	<b>WE Cox Claims Group Ltd</b>	Agapi Terzi
5	140 Fenchurch Street, London, EC3M 6BL United Kingdom	Email: aterzi@w-e-cox.co.uk  DDI: +44 (0)20 38599059  Tel: +44 207 488 2580  Fax: +44 (0)20 3 859 9063
	<b>WK Webster &amp; Co Ltd</b>	Nigel Palmour Case Handler Cargo Casualty Management
6	Webster House 207 Longlands Road Sidcup Kent DA15 7JH	Direct +44 (0)20 8269 7625  Mobile +44 (0)7720 740195  Email npalmour@wkwebster.com

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