

COMPLAINT
EXHIBIT A

LAW OFFICES OF JERRY C. EFFREN

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August 5, 2020

Via Facsimile (757-341-5565)

Commander, Military Sealift Command
ATTN: N00L/FOIA
471 E. C Street, Building SP-64
Norfolk, VA 23511

Re: FREEDOM OF INFORMATION ACT REQUEST

Dear Sir or Madam:

This is a request under the Freedom of Information Act directed to the Military Sealift Command (“MSC”). I hereby request that a copy of the following documents be provided to me on an expedited basis:

1. All documents evidencing the certification status the Floating Dry Dock “Alabama” (the “Dry Dock”) at the shipyard owned and/or operated by Alabama Shipyard, LLC. (the “Shipyard”) in Mobile, Alabama as of November 26, 2019.
2. All documents evidencing the certification or re-certification of the Dry Dock on or after November 26, 2019.
3. All documents concerning the “self-certification” of the Dry Dock by MSC, or at the direction of MSC, if any, undertaken or completed on or after November 26, 2019.
4. All documents concerning United States Navy certifications of the Dry Dock, if any, undertaken or completed on or after November 26, 2019.
5. All communications between MSC, on the one hand, and the Shipyard, on the other hand, concerning the status of the certification of the Dry Dock as of or after November 26, 2019.
6. All communications between MSC, on the one hand, and any other person or entity, including without limitation representatives of the engineering company known as Heger Dry Dock, Inc. of 77 Main St, Hopkinton, MA 01748 concerning the certification of the Dry Dock at any time on or after November 26, 2019.

Note: In an effort to assist you in identifying documents responsive to this FOIA request, I am attaching for your convenience the last known “Certification of Capacity” for the Dry Dock,

which was prepared by Wally Sayed, PE, formerly of HDD.

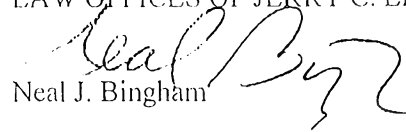
In order to assist MSC in determining fees, please be advised that my client is willing to pay fees up to \$250.00 for your services in responding to this request. If you expect the fees will exceed this, please contact me before proceeding.

If you need to discuss this request, I can be reached at the telephone number set forth above during regular business hours. Thank you for your consideration of this request.

Very truly yours,

LAW OFFICES OF JERRY C. EFFREN

Neal J. Bingham

A handwritten signature in black ink, appearing to read "Neal Bingham", is written over the typed name "Neal J. Bingham". The signature is fluid and cursive.

cc: Waleed Sayed

HEGER DRY DOCK, INC



CERTIFICATE of CAPACITY

FLOATING DRY DOCK "ALABAMA"
ALABAMA SHIPYARD, LLC
MOBILE, ALABAMA

ISSUED: NOVEMBER 26, 2019
EXPIRES: JULY 17, 2021

Heger Dry Dock, Inc. has inspected the subject dry dock and found it safe and adequate for dry-docking vessels displacing up to 46,400 long tons at 12 inches pontoon deck freeboard and with a maximum keel line load not to exceed the load per foot limit as shown in the attached Table 1 – ALABAMA FDD Line Load as of Nov. 26, 2019.

This certification is contingent on the following conditions:

- A) The vessel's weight and adjusted vertical center of gravity (KG) must fall within acceptable limits of ship / dock stability.
- B) A safe and adequate blocking system must be used for all dockings.
- C) Maximum allowed head pressure limitation of 31-feet must not be exceeded.
- D) Normal acceptable dry-docking procedures must be followed at all times.
- E) Starboard wing wall crane shall not travel aft of Frame 44.

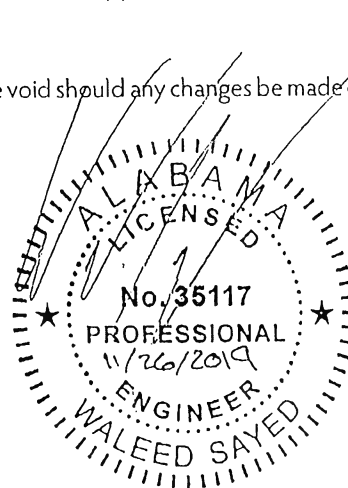
Please note that the certification is for the safety of the vessel in the dry dock only. It does not address the safety of personnel in and around the dry dock, potential pollution spills, or transfers. Faulty handrails, stairs, tripping hazards, exposed equipment or any other hazard not specifically related to the safety of the vessel in the dry dock are not covered by this certification. Transfers must be reviewed and approved in advance on a case by case basis.

This certification expires on July 17, 2021. It shall automatically become void should any changes be made or damage occur to the basic dock structure or equipment.

REFERENCE: Heger Inspection Report, July 2019

HEGER DRY DOCK, Inc.

Waleed Sayed, PE
Registration: Alabama
Certificate No. 35117



Job Name: UT-Baldrich
By: WJ
Date: 1/28/2023
Job No: 51910

TABLE 1 - ALABAMA FDD LINE LOAD RATING AND MAXIMUM ALLOWED HEAD PRESSURE ON PONTOON DECK AS OF MARCH 8, 2019

LOAD RATING IS BASED ON UT MEASUREMENTS IN ROWS F TO P (CENTER TANKS). BOXES MARKED IN RED ARE UTILIZED TO REDUCE THE LOAD RATING BELOW 65 T/FT OR REDUCING THE ALLOWED HEAD PRESSURE BELOW 34.4 FT.

Notes: 1. If the 'New' value is used, it indicates the value has been replaced.
2. If the 'Old' value is used, it indicates the value has not been replaced.

Summary of UT Measurements Taken on Pontoon Deck by RAE. A grid table with columns for 'Line' (1-5) and 'Tank' (1-12). Rows represent different tank types (A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P). Cells contain numerical values and 'New' or 'Old' status indicators. The table is divided into sections labeled TANK 1 through TANK 8.

NOTE: UT measurements in rows G-I (3rd row Q) - determine maximum allowed head pressure in each tank group. UT measurements in rows J-L (4th row Q) - determine maximum allowed head pressure for each individual tank.