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**SECRETARY'S CERTIFICATE**

OFFICE OF THE SECRETARY  
FEDERAL MARITIME COMM

I, Barbara M. North, Executive Secretary of the NYSA-ILA Contract Board, hereby certify that on June 5, 2007, the Members of the NYSA-ILA Contract Board agreed to adopt the following amendments to the NYSA-ILA Assessment Agreement, dated September 24, 2005, designated as Agreement No. 201162 by the Federal Maritime Commission:

**RESOLVED:** That Article II, Section 12 be amended to read as follows:

The term "House Container Outside 260 Miles" shall mean either (1) a loaded export House Container that originates from a shipper at a point on the North American mainland that is more than 260 highway miles from the Center of the Port and is received at the gate of the marine terminal in the Port after transport by truck from its origin point to the Port or (2) a loaded import House Container that enters the Port at a berth after transport by vessel and is destined to be delivered to a consignee by truck at a point on the North American mainland that is more than 260 highway miles from the Center of the Port; and

It is further

**RESOLVED:** That Article II, Section 13 be amended to read as follows:

The term "House Container Within 260 Miles" shall mean either (1) a loaded export House Container that originates from a shipper at a point on the North American mainland that is 260 highway miles or less from the Center of the Port and is received at the gate of the marine terminal in the Port after transport by truck from its origin point to the Port or (2) a loaded import House Container that enters the Port at a berth after transport by vessel and is destined to be delivered to a consignee by truck at a point on the North American mainland that is 260 highway miles or less from the Center of the Port; and

**RESOLVED:** That ARTICLE II, be amended by adding a new Section 26 which shall read as follows:

The term "Loaded Rail Container" shall mean a loaded import House Container that enters the Port after being transported by vessel and which is delivered to the consignee by rail; and a loaded

export House Container which is received at the gate of a marine terminal in the Port after transport by rail from its inland origin point; and

It is further

**RESOLVED:** That ARTICLE III, Section 3 be amended, to provide that the Container Unit Assessment for "House Containers within 260 Miles" in "All Other Trades" be decreased from "\$120.00 per container" to "\$110.00 per container;" and

It is further

**RESOLVED:** That ARTICLE III, Section 3 be amended to add a new assessment rate to the list of Container Unit Assessments as follows:

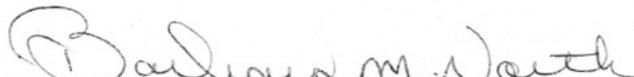
Loaded Rail Containers - \$10.00 per container; and

It is further

**RESOLVED:** That the foregoing amendments shall be effective July 1, 2007.

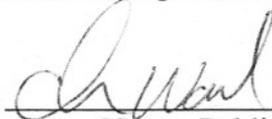
**IN WITNESS WHEREOF**, I have hereunto set my hand and seal on this

5<sup>th</sup> day of June, 2007.

  
Barbara M. North

**ACKNOWLEDGMENT**

Before me, on June 5, 2007, personally came Barbara M. North, known to me and known as the Executive Secretary of the NYSA-ILA Contract Board, and in my presence, executed the foregoing document and acknowledge that she executed the same.

  
Notary Public CHARLES WARD  
Notary Public, State of New York  
No. 01WA4674428  
Qualified in Suffolk County  
Commission Expires October 31, 10