ARTICLE 1: NAME OF AGREEMENT

The name of this Agreement is the “U.S.-Flag Discussion Agreement” (hereinafter, the “Agreement”).

ARTICLE 2: PURPOSE OF AGREEMENT

The purpose of this Agreement is to permit common carrier by water offering service on U.S.-flag vessels to establish a cooperative working arrangement for joint consideration of and action on transportation matters of mutual interest, pursuant to the Agreement’s terms, to assure the availability of efficient and economically sound U.S.-flag liner operations at fair and reasonable rates, terms and conditions, and to promote an efficient, stable and economic transportation system in U.S. foreign commerce.

ARTICLE 3: PARTIES TO AGREEMENT

The Parties to this Agreement are U.S.-flag ocean common carriers engaged in freight transportation services:

American President Lines, Ltd.  
16220 N. Scottsdale Road  
Suite 300  
Scottsdale, AZ 85254-1781

And

APL Co. Pte Ltd.  
456 Alexandra Road  
#06-00 NOL Building  
9 North Buona Vista Drive  
#14-01  
The Metropolis Tower 1  
Singapore 119962 138588  
(acting as a single party)

Hapag-Lloyd USA, LLC  
401 E. Jackson Street  
Suite 3300  
Tampa, FL 33602

And

Hapag-Lloyd AG  
Ballindamm 25  
20095 Hamburg, Germany  
(acting as a single party)

And

A.P. MOLLER-MAERSK A/S trading under the name of Maersk Line A/S  
50, Esplanaden  
DK-1098, Copenhagen, Denmark