

EYES WIDE OPEN

We had used Yachtpath twice before, once to transport KnottyDog II and once for KnottyDog IV, both from Ft Lauderdale to Victoria. Both times without any real issues. This year when we decided to move KnottyDog back to Florida, I naturally contacted YachtPath. I had read stories on various chat rooms about horror stories, and had just read about YachtPath moving the big boat used in Pirates of the Caribbean. There are always horror stories and many are self inflicted.

The real culture of a company comes to light when things go wrong, not when they go right. So we entered an agreement with yachtpath to ship our little boat with our eyes wide open.

The saga starts in early November 2012 when I called to confirm a early December loading in Victoria. I was told by the sales rep that it could be as early as November, 24th so we moved KnottyDog to Victoria in mid November. Again I contacted Yachtpath in early December to check on a loading date. I was told the December 8th had moved to the 10th. By the middle of Decmber the date was the 18th. We were tod there was a ship, unnamed, but the company was THORCO and the ship was in the area.

All of the communication was by phone and with the sales rep who was talking to the operations people. Every few days it was going to happen soon, we are negotiating with the shipping company.

On Christmas Eve were we're still waiting for the confirmation on a ship that was to be available. Because of the "anyday" we did not make any plans for the holidays and being upset I sent an email to Dennis Cummings, President, expressing my disappointment. Suprisingly, Dennis call and expressed his apology and offered to reimburse me for some of the dockage costs in Victoria. He also said the 17th of January was guaranteed and they had an identified ship.

On January 10th we got the word that the ship had been identified and negotiations complete and had an ETA of January 18th. On the 17th we received word it had moved to the 20th. The BBC Vesuvius arrive in the area on the 22nd.

We finally loaded on the 24th and on the 31st we received this:

To all Clients aboard "M/V "BBC Vesuvius",

Please be advised as of Thursday, January 31, 2013 the "M/V BBC Vesuvius" is currently sailing towards Golfito, Costa Rica.

The call into the Port of Mazatlan has been cancelled and his vessel is now proceeding directly to Golfito, Costa Rica. Please find the latest ETA for Golfito listed below.

Please find the ETA listed below.

Voyage No.	Vessel	Port	ETA	
			Date	Time in Port
EB-12-12	BBC VESUVIUS	VICTORIA	Completed	2 DAYS
EB-12-12	BBC VESUVIUS	GOLFITO	FEB-06	1 DAY
EB-12-12	BBC VESUVIUS	CRISTOBAL	FEB-07	1 DAY
EB-12-12	BBC VESUVIUS	PORT EVERGLADES	FEB-12	2 DAYS

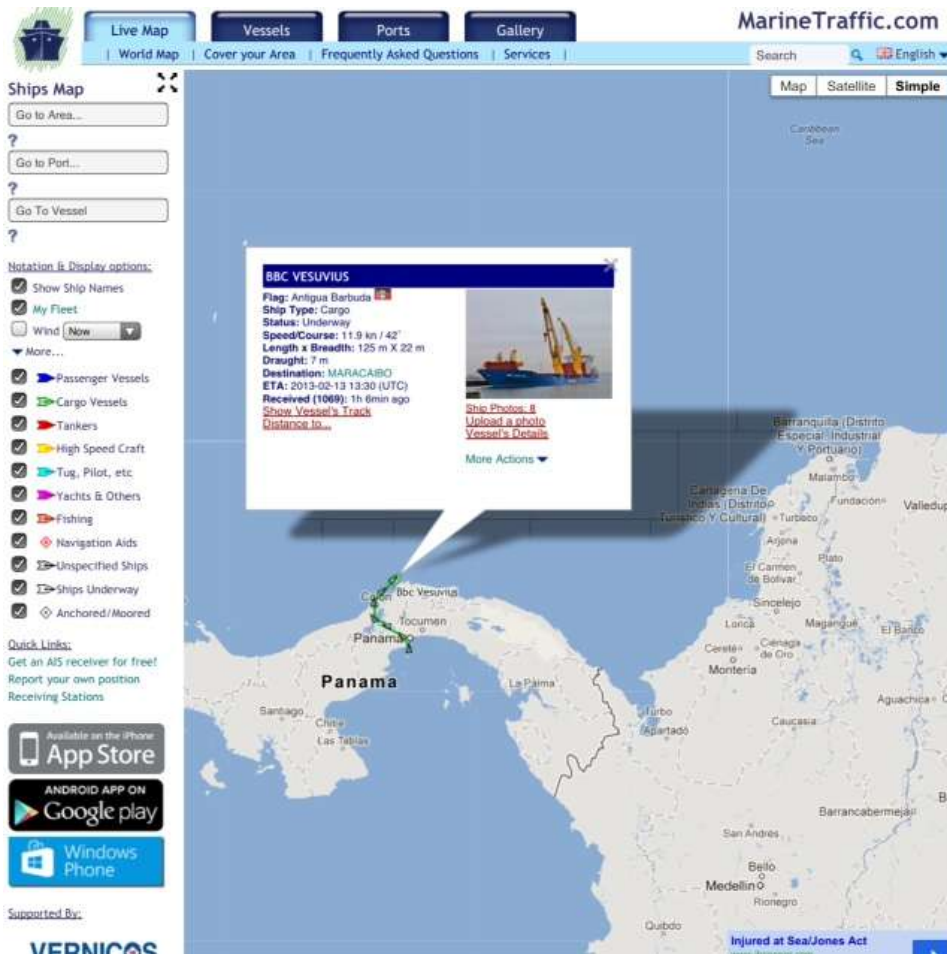
Wellwe are driving across and the arrival date is the 12th, we better get moving.

On the 4th and 5th of February we received updates confirming the 12th, but on February 6th we get a notice that the date is now the 14th. On the 11th it moved to the 18th and on the 18th to the 24th.

NOW THIS IS WHERE IT GETS REAL INTERESTING.....

Because of the AIS on these freighters you can track their movements when they are close to major ports and ship plotter will send you notice of the vessels entering or departing destinations for ships you are interested in.

On February 11th I received a notice that BBC Vesuvius had departed Panama. The AIS plot showed the destination as MARACARIBO. That's not Ft Lauderdale!



As expected we got a new notice.

To all Clients aboard “M/V “BBC Vesuvius””,

Please be advised as of Monday, February 11, 2013 the “M/V BBC Vesuvius” has completed her Panama Canal transit and is currently sailing towards Maracaibo for discharge of Owners cargo in Hold #3.

Please find the revised ETA listed below.

Voyage No.	Vessel	Port	ETA	
			Date	Time in Port
EB-12-12	BBC VESUVIUS	VICTORIA	Completed	2 DAYS
EB-12-12	BBC VESUVIUS	GOLFITO	Completed	1 DAY
EB-12-12	BBC VESUVIUS	CRISTOBAL	Completed	1 DAY
EB-12-12	BBC VESUVIUS	PORT EVERGLADES	FEB-18	2 DAYS

On the 13th we receive this update:

Please be advised as of Wednesday, February 13, 2013 the “M/V BBC Vesuvius” is currently arriving in Maracaibo, Venezuela for discharge of Owners cargo in Hold #3.

Please find the revised ETA listed below.

Voyage No.	Vessel	Port	ETA	
			Date	Time in Port
EB-12-12	BBC VESUVIUS	VICTORIA	Completed	2 DAYS
EB-12-12	BBC VESUVIUS	GOLFITO	Completed	1 DAY
EB-12-12	BBC VESUVIUS	CRISTOBAL	Completed	1 DAY
EB-12-12	BBC VESUVIUS	PORT EVERGLADES	FEB-20	2 DAYS

OK now the 20th..... Believe that?? On the 14 and 15th we continued to receive updates saying the 20th. But on the 18th we get a notice that the date is the 24th!

Shortly after that I get the AIS notice that the ship has left and the destination is Ft Lauderdale and to arrive at 1300 UTC on the 23rd.

On February 20th we get the formal notice from Yachtpath

To all Clients aboard “M/V “BBC Vesuvius”,

Please be advised as of Wednesday, February 20, 2013 the “M/V BBC Vesuvius” is currently sailing towards Port Everglades, Florida.

The current ETA into Port Everglades is 1300 hrs on February 23rd as indicated below. Discharge operations are due to commence upon vessels arrival and clearance by local Authorities.

Please find the revised ETA listed below.

Voyage No.	Vessel	Port	ETA	
			Date	Time in Port
EB-12-12	BBC VESUVIUS	VICTORIA	Completed	2 DAYS
EB-12-12	BBC VESUVIUS	GOLFITO	Completed	1 DAY
EB-12-12	BBC VESUVIUS	CRISTOBAL	Completed	1 DAY

<i>EB-12-12</i>	<i>BBC VESUVIUS</i>	<i>PORT EVERGLADES</i>	<i>FEB-23-1300hrs</i>	<i>2 DAYS</i>
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The ships AIS was showing 1300 UTC, but the Yachtpath just stated 1300. 1300 UTC is 8 am Ft Lauderdale.

On the morning of the 22nd Yachtpath sends out this notice.

To all Clients aboard "M/V "BBC Vesuvius",

Please be advised as of Friday, February 22, 2013 the "M/V BBC Vesuvius" is currently sailing towards Port Everglades, Florida.

Upon arrival at Port Everglades anchorage tomorrow morning the US Coast Guard will perform a level 1 inspection of this vessel. This is a very thorough inspection is due to take the remainder of the day to complete.

We are now working with local Port Authorities to see if we are able to secure a berth for Sunday morning. Due to the cruise ship traffic berths in Port Everglades are very difficult to secure on the weekends. A Yacht Path Representative will be contacting each Client tomorrow with an update on the berthing prospects.

Please find the revised ETA listed below.

Voyage No.	Vessel	Port	ETA	
			Date	Time in Port
EB-12-12	BBC VESUVIUS	VICTORIA	Completed	2 DAYS
EB-12-12	BBC VESUVIUS	GOLFITO	Completed	1 DAY
EB-12-12	BBC VESUVIUS	CRISTOBAL	Completed	1 DAY
<i>EB-12-12</i>	<i>BBC VESUVIUS</i>	<i>PORT EVERGLADES</i>	<i>FEB-23-1000hrs</i>	<i>2 DAYS</i>

Saturday morning we go down to the beach to see if we can see the ship. We are watching the AIS and shortly after 08:30 she arrive in the area and was anchored by 10:00 am. We assume the Coast Guard is doing the inspection and the ship will stay at anchor until Monday, after all Yachtpath said no births..

Shortly after noon we checked the AIS and the ship was gone! Looking closer we found it at a berth in the port. Excited now, we believe that unloading will start first thing Sunday morning. We were able to find an advantage point across the basin where we could see KnottyDog squeezed in on the port side.



We keep wondering why we do not hear from Yachtpath with the unloading schedule. Sunday morning we drive down to see what is happening. As we cross the 17th street bridge we see a large 100 ft+ yacht being towed. Jayne even remarked that it looked a lot like one of the two on the freighter. We rushed to our viewing spot across the basin and KnottyDog is GONE !

Where is it, why were we not called? Thousands of questions. I call Kevin Cummings asking what is going on. He says he does not know and will call me in 10 minutes. We sit and wait and finally Kevin calls back. He starts a long babbling story that they are being unload illegally and more babble. Finally he gives me the name of the individual and yard where KnottyDog is. I call the number and Bill O'dell answers and calmly tells me the shipment of boats have been arrested for non payment by Yachtpath and they are now are arrested by the US Marshall. We can see the boat tomorrow, Monday , at 9am

Of coarse, Kevin Cummings is promising payment Monday as soon as the banks open.

I had called Greg Clark who has a new Ameican Tug on the ship also and made Him aware of what was going on.

We both were at the Marina at 9 am to see our boats and find out what was happening. Bill O'dell introduced himself and handed us a paper with the court case and names of BBC Chartering attorneys. He encouraged us to contact the attorney or get our own because this vessels are now the property of the US Marshall. We went out to see KnottyDog after signing our life away and found she was dirty and has minor damage. Makes us sick to see her in jail.

As the day wears on Kevin will not return my calls, I called the attorney for BBC Chartering, and after a few calls to Him and another attorney who was representing the 2 large boats, a procedure slowly emerges. They are going to take the invoice not paid and add the costs of unloading, moving, storage and court fees and prorate that cost by the deck space each boat used. The attorney was nice and gave me my cost Monday evening. Greg, the American Tug owner also got a number.

There was a total of 6 boats under arrest, two 150 + Christensen yachts, a Marlo 65, an Army 70 ft aluminum cat, American Tug 42 and KnottyDog.

Kevin From Yachpath just did not return my calls and working with the attorney for BBC Chartering I was told one could pay this directly to BBC Chartering or post a bond in the amount of 150% of the cost. In our case that 50% amounted to \$10,000. If we did the bond AND Yachpath paid the bills we would recover our bond. Paying the amount directly to BBC Chartering leaves us with nothing. We of course can sue Yachtpath to recover that plus all expenses.

Early Tuesday morning we made the decision to pay BBC Chartering directly rather than risk that the bond is never returned. By mid afternoon we had confirmation that the wire was received. By 4:30 we learned that there was a problem with the paperwork at the court and probably I'll not clear until tomorrow morning.

On our way to dinner we got a call from Bill O'dell saying he just received a call from the US Marshall's office and we were released and pick KnottyDog up at 9 am.

Hind site is always great, but when the company has no integrity at all, and shows that over and over , they do not deserve to stay in business and Yachtpath probably will not.

As of today march 1st, each owner has paid His share to BBC Charting and Yachtpath has paid nothing and still has not contacted us. Of course we will be involved in some kind of law suit to recover our money.