

## **Settlement Agreed in Legal Action Against Sea Shepherd**

23 August 2016

The Institute of Cetacean Research (ICR) and Kyodo Senpaku (KS) today announced that they have filed a stipulated motion for entry of a permanent injunction to resolve the safety at sea case they filed against Sea Shepherd Conservation Society (SSCS) and Paul Watson.

ICR and KS filed their original complaint in the Washington Federal District Court in Seattle on 8 December 2011, seeking injunctive relief from violent behavior that threatened the safety and lives of their researchers and crews. This followed several years of increasingly dangerous physical attacks on the High Seas in which Sea Shepherd and Paul Watson attempted to sabotage research activity by ramming vessels, dragging ropes to damage propellers and throwing and firing glass projectiles from close quarters.

On 17 December 2012, the U.S. Ninth Circuit Court of Appeals issued a preliminary injunction enjoining further attacks against the research vessels. In February 2013, it reversed on all counts the District Court ruling denying a preliminary injunction and ruled that Sea Shepherd and Paul Watson's alleged activities, "are clear instances of violent acts for private ends, the very embodiment of piracy." Following the continuation of the attacks after the preliminary injunction, in December 2014 the Ninth Circuit found that SSCS, Paul Watson and SSCS board members at the time concerned were in civil contempt of its injunction. The parties to the contempt action settled these proceedings with a payment from SSCS to ICR and KS of \$2.55 million.

Against this background, and as the case was continuing in the Washington Federal District Court to obtain a permanent injunction, ICR, KS, SSCS and Paul Watson successfully resolved the dispute through mediated negotiations held earlier this month.

Under the stipulated permanent injunction and final judgment, SSCS, Paul Watson and persons acting in concert with them are permanently enjoined from physically attacking the research vessels and crew and from navigating in a manner that is likely to endanger their safe navigation; the enjoined parties cannot approach the research vessels any closer than 500 yards on the open sea; and SSCS cannot provide funds to facilitate attacks by other Sea Shepherd entities.

SSCS and Paul Watson are also permanently enjoined from expending any part of the settlement consideration to be paid to Sea Shepherd Conservation Society to fund acts enjoined by the permanent injunction, including against third parties anywhere in the world.

The stipulated permanent injunction and judgment formally concludes the legal action that was initiated in 2011.

The agreement itself is confidential except to the extent that information from the agreement is contained in the stipulated permanent injunction, which is a matter of public record.

ICR conducts its NEWREP-A Antarctic whale research program under a permit issued by the Government of Japan in accordance with Article VIII of the International Convention for the Regulation of Whaling. Kyodo Senpaku provides the vessels and crews for the research program.

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