

LETTER OF INDEMNITY

(PLEASE USE YOUR COMPANY LETTER HEAD)

Evergreen Marine Corp Date : / /

Dear Sirs/Madam,

Re : TEMPERATURE DISCREPANCY STATMENT

Vessel / Voyage : _____

S/O No. : _____

Container No. : _____

Destination : _____

Commodity : _____

Request pre-cooling temp: _____ °C

We hereby acknowledge of the above-mentioned container(s) returned to designated terminal at temperature of _____ °C which is different from the temperature at _____ °C as requested and expressly stated in the Application for Refrigerated Container dated [_____]. Nevertheless the foregoing, we ask you to accept the above mentioned container(s) loading on board.

In consideration of your complying with our above request, we hereby undertake to indemnify you, your Principals, servants and/or agents and to hold all of you harmless in respect of any liability, loss, damage, expenses or costs (including but not limited attorney expenses, legal fees) of whatsoever nature which you, your Principals, servants and/or agents may sustain by reason thereof or in relation thereto.

In the event of any proceedings being commenced against you, your Principals, servants and/or agents in connection with the foregoing, we hereby provide any of you from time to time with sufficient funds to defend the same.

This Letter of Indemnity shall be governed by and construed in accordance with the laws of [England] and any dispute arising out thereof shall be submitted to jurisdiction of the District Court of Hong Kong.

Thank you for your kind attention.

Yours faithfully,

(Company chop and sign)