EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 1:20-cv-22471-DPG

NORTH AMERICAN SUGAR INDUSTRIES, INC.,

Plaintiff,

v.

XINJIANG GOLDWIND SCIENCE & TECHNOLOGY CO., LTD.; GOLDWIND INTERNATIONAL HOLDINGS(HK) LTD.; DSV AIR & SEA INC.; BBC CHARTERING USA, LLC; and BBC CHARTERING SINGAPORE PTE LTD.,

Defendants.

DECLARATION OF KENNETH WITKOWSKI

I, Kenneth Witkowski, declare:

1. I am over 18 years of age and am competent to testify to the matters set forth herein. I have personal knowledge of the matters set forth herein, and, if called upon, could testify competently and truthfully to the facts stated in this Declaration.

2. I am an employee of DSV Air & Sea Inc. ("DSV US"). DSV US is a Delaware corporation with its principal place of business in Iselin, New Jersey.

3. DSV US provides air and sea freight forwarding services for international shipments.

4. Currently, I am the Director of Quality & Compliance for DSV US. I work at DSV US's head office, which is located in Iselin, New Jersey. I have been Director of Quality & Compliance for DSV US since 1998, and I have been employed by DSV US since 1995.

5. DSV Ocean Transport A/S, is a Danish corporation organized under the laws of Denmark with its principal place of business in Hedehusene, Denmark. DSV US is a wholly-

owned subsidiary of DSV Air & Sea Holding, Inc. DSV Ocean Transport A/S, and DSV Air & Sea Holding, Inc. are each wholly-owned subsidiaries of DSV Air & Sea Holding A/S. DSV Air & Sea Holding A/S is a wholly owned subsidiary of DSV A/S.

6. In December 2018, DSV US had 35 offices located throughout the United States, including one office in Miami and one office in Orlando, Florida.

7. According to bill of lading numbers HPR0023522 and HPR0023508, which I reviewed, there was a shipment of blades, along with frames to hold the blades, that departed Tianjin, China on a vessel named the "BBC Jade" and arrived at Puerto Carupano, Cuba (the "BBC Jade Shipment").

8. According to bill of lading numbers HPR0023752 and HPR0023755, which I reviewed, there was a shipment of blades, along with frames to hold the blades, that departed Tianjin, China on a vessel named the "BBC Moonstone" and arrived at Puerto Carupano, Cuba (the "BBC Moonstone Shipment").

9. DSV US was not a carrier for the BBC Jade Shipment or the BBC Moonstone Shipment.

10. DSV US was not hired or paid by any entity, including any codefendant in this case, for any activity relating to the BBC Jade Shipment or the BBC Moonstone Shipment or to deliver blades and frames from China to Cuba.

11. DSV US did not consult, communicate, or coordinate with any codefendant in this case or Empresa Importadora-Exportadora de Objetivos Electro-Energéticos ("Energoimport") on any aspect of the BBC Jade Shipment or the BBC Moonstone Shipment.

12. DSV US did not hire or pay any entity, including any codefendant in this case, to carry out the delivery of blades and frames from China to Cuba on the BBC Jade or the BBC Moonstone.

13. DSV US was not involved in planning the route for the BBC Jade Shipment or the BBC Moonstone Shipment, and DSV US was not involved in selecting the port for the delivery of the blades on the BBC Jade or the BBC Moonstone.

14. DSV US did not plan, request, or decide that the BBC Jade or the BBC Moonstone stop in Miami, Florida before arriving in Cuba.

15. DSV US did not track, and played no role in the tracking of, the shipment of the blades from China to Miami to Cuba. Likewise, DSV US did not provide any codefendant in this case any tool to track or trace the BBC Jade Shipment or the BBC Moonstone Shipment.

16. DSV US did not request that any other entity submit or provide an export control declaration for either the BBC Jade Shipment or the BBC Moonstone Shipment.

17. DSV US's involvement in the BBC Jade Shipment and the BBC Moonstone Shipment was limited to conferring outside of Florida on a limited compliance issue, placing one phone call from outside of Florida to the United States Department of Commerce located outside of Florida to discuss the export license issued for the shipment of blades from China to Cuba, and electronically transmitting forms for the BBC Jade Shipment and the BBC Moonstone Shipment from outside of Florida to U.S. Customs and Border Protection's Automated Manifest System.

18. DSV US filed the ISF forms for the BBC Jade Shipment and the BBC Moonstone Shipment from its office in New Jersey. The ISF forms that were filed did not list DSV US's Miami, Florida address as that of the filing party.

19. DSV US's limited acts in regard to the BBC Jade Shipment and the BBC Moonstone Shipment were not performed in the State of Florida or by persons who are located in Florida or work in DSV US's Florida offices.

20. DSV US's Miami and Orlando offices had no involvement in the BBC Jade Shipment or the BBC Moonstone Shipment. There was no DSV US employee, agent, or representative located in the State of Florida, including the Miami or Orlando offices, that had any involvement in or took any action in regard to the BBC Jade Shipment or the BBC Moonstone Shipment.

21. DSV US did not arrange for logistical support for the BBC Jade or the BBC Moonstone while they were docked in Miami.

22. No DSV US employee, agent, or representative was present at the port where the BBC Jade or the BBC Moonstone docked in Miami at any time during the BBC Jade or the BBC Moonstone's respective stops in Miami for any purpose related to the BBC Jade Shipment or the BBC Moonstone Shipment.

23. No DSV US employee, agent, or representative boarded the BBC Jade or the BBC Moonstone at any time during the delivery of wind farm equipment from China to Cuba.

24. No DSV US employee, agent, or representative took any action in the State of Florida that was in any way related to the BBC Jade Shipment or the BBC Moonstone Shipment.

25. DSV US employee Carol Scheid did not take any action related to the BBC Jade or BBC Moonstone Shipments.

26. DSV US did not agree to transport any equipment from China to Energoimport in Cuba.

27. The BBC Jade Shipment's and BBC Moonstone Shipments' respective stops in Miami were not necessary preconditions to shipping blades from China to Cuba. To comply with the export license issued for the shipment of blades, the BBC Jade and the BBC Moonstone could have stopped at any port in the United States.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my information, knowledge, and belief.

Executed this 6th day of December, 2021.

Kenneth Witkowski