



# FREIGHTER REPO MAN

# Hardberger

by Mike Rivault

*Author, teacher, entrepreneur, crop duster, pilot, freighter captain, port captain, lawyer, ocean-going freighter repo-man and now the subject of a Hollywood movie – that’s UNO graduate Max Hardberger’s life in brief. His adventures were featured in a Los Angeles Times story last spring, and his tales not only caught the attention of the UNO Magazine staff, but of writers and producers in New York and Hollywood. While his life certainly reads like a Hollywood movie, it had a much simpler start. That’s where we begin.*

## A Burgeoning Adventurer

Growing up in Thibodeaux, Louisiana, Florian Max Hardberger, Jr., the son of a biology professor, always had a taste for adventure. He was a licensed aircraft pilot at 16 and he spent his summers working offshore and on support vessels to satisfy his love of the sea.

After initially choosing Nichols State for his college education, he transferred to the almost 10-year old UNO looking for something a bit different. With no on-campus living facilities, Hardberger chose to move to the gritty French Quarter in the heart of the city, “to experience true urban living,” as he puts it. “That was the heyday of the Quarter, and I lived in the middle of it all with a bunch of other UNO students and friends,” said Hardberger, “Those UNO years were great.” Two years later he graduated with a degree in English.

Soon after graduation, Hurricane Camille hit and gave him one of his first entrepreneurial opportunities. Hardberger decided to remove fallen trees from businesses and homes in the Slidell area in a small business venture with a friend. “I had a 62 Bel Air and I hauled trees in pieces in the trunk of

that car. Completely ruined it,” noted Hardberger. But that start would launch him into one of his first careers, teaching high school English at Mandeville High. “One of the guys, who we removed some trees for, asked me if I knew of any UNO graduates who finished in English. I said, ‘Yeah, me.’ So I came back to New Orleans and packed up to work in Mandeville,” said Hardberger.



*Hardberger sailing on Lake Pontchartrain as a UNO student.*

After his first short stint as a teacher he was accepted into the University of Iowa’s Writer’s Workshop and earned his Master’s of Fine Arts in creative writing. He returned to teaching for a short time, but soon traveled to South and Central America to work in the oil and shipping industries. Then he returned to the States for another short stint in education to teach high school history in Slidell, and then it was back to Central and South

America. When the oil industry took a huge downturn Hardberger once again returned to work in Louisiana.

“Crop dusting,” said Hardberger, “was a good job. I also did nightly check runs when banks used to have to send checks to the central bank every night. I even



flew around some bodies that they didn't want to transport long distances in hearses." But the company he was crop dusting for in Breaux Bridge closed in the middle of the growing season and he found himself "with nothing to do," always a jumping off point for Hardberger.

"I also had a ship captain's license, so I went to Miami to see if I could get some work," Hardberger explained. This was when Jean-Claude Duvalier (Baby Doc) was ousted as ruler of Haiti in a revolution. His ouster quickly produced a more liberal Haitian trade policy, subsequently leading to an increase in the shipping business. "There were lots of Haitians with ships in Miami, and not enough captains to go around," stated Hardberger. There he found a job that would most define his life, a freighter captain.

Hardberger stated, "Most people don't realize what really goes on in the world of international shipping." It is a rough and tumble world where

piracy still exists and as Hardberger put it, "International waters can be worse than the Wild West." His years as a freighter captain taught him a great deal about getting goods from one point to the other and led him to a new series of adventures.

### First Freighter Repossession

In 1991 Hardberger was drawn into an intriguing international shipping incident. He was assigned his first "ship extraction," another way of saying, "ship repo." As a port captain for Morgan Price & Company, Hardberger managed two freighters, one of them, the Patric M. But he found himself handling more than the ships, he found himself in an old-world drama.

"An infamous 'Caribbean Pirate' tried to steal my ship (the Patric M)," stated Hardberger. Modern day pirates can seize small to mid-size freighters by simply bribing local officials in some foreign countries. "Sometimes, justice is as simple as who is the higher bidder," noted Hardberger. The Patric M was



*Typical tramp steamer unloading in Haiti.*



*Freighter in the Caribbean sunset.*

chartered by a Peruvian company, which was owned by a pirate, to carry a load of steel to a Venezuelan port. This was a port where the pirate knew he could control the judiciary.

Ships charter to carry cargo to the highest bidder and someone who intends to steal a ship can simply offer a higher dollar amount for a ship owner's services. In this case the company that chartered the *Patric M* refused to pay once the cargo was delivered. The refusal to pay set off legal wrangling in a grey area of the law.

According to international maritime law, a vessel owner can seal the cargo and hold it, if the chartering company refuses to pay for its transport. Morgan Price ordered the captain to close the cargo holds and refuse to allow discharge operations. Expecting this, the pirate bribed a Venezuelan official to detain the ship in port. The pirate intended to operate the vessel, unload the cargo and register it in his company's name. He had the Venezuelan military board the ship to gain control of it. They boarded, put a machine gun to the head of the captain and forced him to open the cargo hold. The captain and chief engineer were then arrested and detained in jail. The crew remained on the vessel without a captain. This is when Hardberger stepped in

Realizing he could not remove the ship without the captain and chief engineer, Hardberger convinced

the Venezuelan officials to release them and put them on house arrest in a local hotel. Once there, he spoke privately to the two men about his plans to extricate the ship. The captain, fearing for his life, declined to participate. The engineer agreed. Later, he and Hardberger slipped out of the hotel through the laundry room. Later one evening the two had to sneak under a rail fence that had enough space to slide through. They had to sneak past stevedores overlooking the freight yard by crawling in the shadow of the rail tracks and had to edge their way to the ship behind shipping containers, hiding in doorways and anywhere a shadow protected them.

The ship's gangplank was unguarded so Hardberger and the engineer walked aboard and found the first mate. He agreed to the plan and helped gather the rest of the crew and solicit their cooperation. Once they all agreed to the plan, things moved fast. That night the crew chopped through the ship's dock lines. "We couldn't send a crew member to remove them from the moorings or they'd be left behind. So we chopped them off at the ship," explained Hardberger.

At that point, the most difficult and dangerous part of the extrication still remained. To sail a massive ship at night out of a port past a naval base, past a Coast Guard station, out into open waters without drawing any attention is no easy task. "We had to



*Max on the Baie de Port-au-Prince.*

operate at 'dead slow ahead,' so if sighted, anyone could catch us and board," said Hardberger.

Steering a ship without a tug would draw the attention of anyone who had any knowledge about the port. "We made it out past the 12 mile limit, but Venezuelan officials did contact Interpol, the international police agency, who immediately locked the ship off from all international ports. The ship was supposed to stop in Aruba and drop off Hardberger, but if they attempted this, the ship might be seized again and members of the crew, and Hardberger, arrested. Hardberger steered the ship to Haiti to hide for a time.

"Once we were banned from docking anywhere I knew we had to change the ship's identity," stated Hardberger. Haiti was the perfect choice to take care of this. He knew he could work with the local population to keep quiet about the ship's presence while they went about changing the identity of the *Patric M*. This required grinding down the ship's name and identification numbers, repainting the entire ship, copying all documents to reflect the change and ensure no traces remained of its original name and registration.

"I brought the ship to a very remote port where the nearest police station was a two-day walk. And we had barbeques almost daily and made sure to give away lots of Calairin, the local hardcore moonshine of choice," stated Hardberger. Three weeks later the ship, with its newly christened identity sailed away and home to its rightful owner.

This was Hardberger's first venture into ship extraction. An account of the *Patric M* extraction

was featured in an article in *Florida Shipper Magazine* titled "Commando Action Saves Ship" in 1991. After the appearance of the article he started getting calls to do extractions for other companies. As it turns out, there were no other experts in freighter extraction and Hardberger had a new business.

To illustrate how easy it is for a ship's owner to find itself in this predicament, Hardberger described a time when it happened to him. He was captain of a ship carrying wastepaper. It was heavily listing starboard and the only solution was to drop some of the huge paper bales into the sea.

"So we lost a few bales of waste paper, something with no significant value," said Hardberger. "Once we were in port in the Dominican Republic, the company that chartered us seized the ship under



*Miragoane viewed from Max's property.*

local authority based on the fact that we 'lost' some cargo." While Hardberger likely could have gotten himself out safely, the crew had no way to get out. Since they were not U.S. citizens, they were beholden to the local authorities and could be jailed or just abandoned. Hardberger only had one recourse, "So I made the decision to take the ship. The government sent a Navy vessel to chase us, but we were able to hide from radar in a heavy thunderstorm."

Since then Hardberger has done over a dozen physical extractions, but it's not his first choice, "that is our last resort." In 2001, Hardberger and his business partner, Michael Bono, formed *Vessel Extractions, LLC*, or 'VessEx', which specializes in ship repossessions. "Clients with valuable ships stuck in bad places risk losing them unless decisive action is taken," stated Bono, "which is where we come in." They generally first try using local





*Max with workers on his property in Miragoane.*

contacts and negotiations when attempting to free a ship and employ physical extraction as a last resort. Bono and Hardberger are both attorneys that specialize in maritime law. In a twist of fate, Hardberger taught Bono high school world history in Slidell in the 80s. While Hardberger was learning his craft at sea, Bono became a maritime attorney who specialized in ship mortgage foreclosures. The two reconnected after nearly two decades and formed VessEx.

## **'My Second Home'**

Throughout his life Hardberger has spent a great deal of time in Haiti and has fallen in love with the place and its people. "Despite what the media latches onto, Haiti is very peaceful," stated Hardberger, "and the people are so wonderful and happy despite desperate poverty."

He explained that with virtually no effective law or government, there is no choice but to take the law into your own hands if necessary. "Something Americans need to think about before they pass judgment on these kind of places, is what would you do if you were wronged and there was absolutely no place to turn? You have to deal with it yourself." This being the case, he noted, it is amazing that the people are as resilient and peaceful as they are.

Hardberger, recently, created a new company, Nippes Development Co. S.A., to operate a previously

abandoned Reynolds ore facility in Miragoane, Haiti. It was given the mandate to rid Haitian waters of abandoned ships by turning them into scrap and selling the materials. Miragoane and its people are close to Hardberger's heart and a large portion of his time these days is spent in Haiti working to develop greater economic opportunities for its people.

## **Hollywood Calling**

Hollywood came calling after Hardberger was featured in the L.A. Times. The story resulted in a barrage of calls from Hollywood agents and producers. His international shipping repossession adventures are now being made into a feature film by one of Hollywood's top producers, Frank Marshall, of the Indiana Jones and Jason Bourne movies.

But his life hasn't stopped there. He's also begun writing an autobiography with David Fisher, author of over 50 books, 15 of which have been on the New York Times Bestseller list. He is in discussions with a major cable network company regarding a reality TV series, featuring him operating a freighter.

The past few months have been a whirlwind of activity for Hardberger and the world will soon learn a great deal more about him. However, the unassuming down-to-earth adventurer seems to take it all in stride. His life had been one adventure after the next, and this shows that there is no sign of that slowing down.✿