

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

TRANSMONTAIGNE PRODUCT SERVICES, INC.,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 09-0023-CG-M
)	
M/V WILBUR R. CLARK, and the Barge 7001, <u>in rem</u> and HANNAH MARINE CORPORATION, <u>in personam</u>,)	
)	
Defendants.)	

ORDER

This matter is before the court on the motion of Century Services LP (“Century”) for interlocutory sale of vessels pursuant to Rule E(9) (Doc. 121), the responses thereto of Transmontaigne Product Services Inc., Seabulk Towing Services, Inc., Seabulk Towing, Inc., Whistler Machine Works, Inc., and Harrison Brothers Dry Dock & Repair Yard, Inc. (Docs. 132, 133, 134), and Century’s reply (Doc. 149). In their responses, none of the parties oppose the vessels being sold, but all object to the manner in the proposed notice of sale. On this date, a hearing was held and the parties were heard on the above motion and other pending motions. (Doc. 159). After considering the parties’ arguments and the pleadings on record, the court finds that Century’s motion for interlocutory sale should be granted and that Century should be allowed to credit bid at the sale, provided that Century posts cash or a surety bond approved by the Clerk of Court in an amount sufficient to cover all of the maritime lien claims (including any interest or other costs the claimants believe they are entitled to), and all administrative and custodia legis expenses. The court **ORDERS** the parties to file on or before **Monday, July 13,**

2009, their calculation(s) of the amount for Century's required bond. If they can agree, the parties shall file jointly. If they cannot agree, they may file separately. The parties' calculation(s) should be filed in the form of a response to this Order and should include both a proposed total amount and a breakdown of the total, detailing the amounts attributed to claims, custodia legis fees, interest, attorneys fees, and any other fees and costs.

DONE and ORDERED this 9th day of July, 2009.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE