

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

JS-6

Case No.	2:13-cv-01493-CAS(JEMx)	Date	February 4, 2014
Title	IN RE: JOSEPH MARUSAK		

Present: The Honorable CHRISTINA A. SNYDER

Catherine M. Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings:**      **(In Chambers:)** CLAIM FOR MERCHANT SEAMAN'S  
PERSONAL EFFECTS (dkt. 6, filed November 6, 2013)

The Court finds this motion appropriate for decision without oral argument. Fed. R. Civ. P. 78; Local Rule 7-15. Accordingly, the hearing date of February 10, 2014, is vacated, and the matter is hereby taken under submission.

On February 21, 2013, merchant mariner Joseph Marusak was lost at sea while crewing the container ship APL Philippines. Dkt. 1 ¶¶ 1-3. Pursuant to 46 U.S.C. § 10701, et seq., APL Maritime Ltd., the owner of the APL Philippines, lodged Mr. Marusak's personal effects with this Court on March 20, 2013. Dkt. 4. APL Maritime also deposited Mr. Marusak's unpaid wages in the amount of \$2,871.09. *Id.*

On November 6, 2013, Gabriela Trhac filed a claim for Mr. Marusak's personal effects. Ms. Trhac states that she is Mr. Marusak's sister, and also has power of attorney on behalf of her and Mr. Marusak's parents, the legal beneficiaries of Mr. Marusak's estate. Trhac Decl. ¶¶ 3, 6, 8. Ms. Trhac also represents that she knows of no other person with a claim to Mr. Marusak's effects and unpaid wages. *Id.* ¶ 9. On January 21, 2014, APL Maritime filed a notice that it did not oppose Ms. Trhac's claim, and that it also was not aware of any other claimant to Mr. Marusak's effects and wages. Dkt. 10.

After reviewing the papers submitted in this matter, the Court finds that Ms. Trhac is the "legal representative of the seaman" for purposes of 46 U.S.C. § 10709(b), and accordingly orders that Mr. Marusak's effects and unpaid wages be released to Ms. Trhac.

IT IS SO ORDERED.

Initials of the Preparer

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CMJ