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1 Defendant Vessel and to detain the same in his custody until further order of this Court respecting
2 same.

3 3. On or about October 6, 2010, the Court issued its Order Appointing Substitute
4 Custodian and Authorizing Movement and Inspection of Vessel entitling National Maritime Services,
5 Inc. to assume the responsibility for safekeeping the said Vessel to act as her substitute custodian until
6 further order of this Court

7 4. The United States Marshal for the Eastern District of California has declined to arrest
8 the Vessel on the ground that the Vessel is already in possession of the Substitute Custodian.

9 **THEREFORE, IT IS ORDERED** that:

10 The Vessel, pursuant to the Warrant for Arrest, be deemed arrested and that National Maritime
11 Services, Inc. is appointed as substitute custodian, and that the United States Marshal shall be
12 discharged from the duties and responsibilities for the safekeeping of the Vessel and held harmless
13 from any and all claims arising whatsoever out of said custodial services.

14 **OR**

15 The United States Marshal for the Eastern District of California be required to carry out and
16 effectuate this Court's previous Orders with regard to the Arrest of the Vessel and that the Vessel be
17 turned over to the custody of National Maritime Services, Inc. which was appointed as custodian of the
18 Vessel and National Maritime Services, Inc. shall retain the Vessel in its custody for possession and
19 safekeeping until further order of this Court and that National Liquidators. may move the Vessel from
20 its current location to a secure facility within the district, if necessary.

21 **IT IS FURTHER ORDERED** that Plaintiff's attorney serve a copy of this order on the owner
22 of the Vessel.

23 **IT IS FURTHER ORDERED** that the Clerk of this Court deliver three (3) certified copies of
24 this order to the United States Marshal forthwith.

25 DATED this 15th day of March, 2011.

26
27 /s/ John A. Mendez
28 UNITED STATES DISTRICT JUDGE

1 Presented by:

2 HEMAR, ROUSSO & HEALD, LLP

3 By /s/ STEPHEN E. JENKINS
4 STEPHEN JENKINS
5 PAMELA L. COX
6 Attorneys for Plaintiff
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