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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MJJ

ALAN CARPENTER AND TRACY RAGSDALE, individuals,

Plaintiffs,

vs.

Tug MICHAEL UHL, her engines,
machinery, tackle, equipment,
furnishings and appurtenances, *in rem*,

Defendant.

CASE NO. 07 0549 1

**[PROPOSED] ORDER
AUTHORIZING CLERK TO ISSUE
WARRANT OF MARITIME
ARREST**

Upon reading Plaintiffs' verified *in rem* complaint for maritime arrest and enforcement of maritime lien, the Court finds that the conditions appear to exist for an action *in rem* and for the maritime arrest of the tug MICHAEL UHL, a 86 foot ocean-going tug of approximately 82 gross tons, registered with the United States Coast Guard with official number 545092, under Rule C of the Supplemental Admiralty and Maritime Rules, Federal Rules of Civil Procedure.

**[PROPOSED] ORDER AUTHORIZING CLERK TO ISSUE WARRANT OF
MARITIME ARREST**

RECEIVED
07 JAN 26 PM 12:37
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

1 The Plaintiffs do not wish the process to be issued at the time of filing the action
2 and having requested that the process be held in abeyance under Local Admiralty
3 Rule E.4, the Court HEREBY ORDERS:

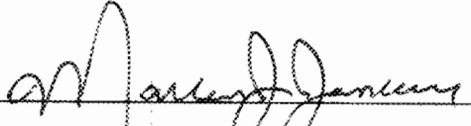
4 1. That the Clerk of this Court shall issue a Warrant for Arrest of the tug
5 MICHAEL UHL, her engines, tackle, spare parts, equipment, furnishings and
6 appurtenances, immediately upon further application of Plaintiffs, without further
7 order of this Court, and that the Clerk deliver or cause said warrant to be delivered
8 to the United States Marshal for service on the defendant vessel; and

9 2. That any person claiming an interest in the defendant vessel shall be
10 entitled, upon application to this Court, to a prompt hearing at which Plaintiffs
11 shall be required to show why the arrest should not be vacated or other relief
12 granted; and

13 3. That all reasonable expenditures which may be incurred by the Marshal,
14 any substitute custodian appointed by the court, or plaintiff for safekeeping and
15 maintaining the defendant vessel including insurance while under maritime arrest
16 of this Court, shall be administrative expenses in this action and shall be a first
17 charge on the defendant vessel to be paid prior to the release of the vessel or the
18 distribution of any proceeds of its sale. Plaintiffs shall account in writing to the
19 Court for all expenses prior to release of the vessel or confirmation of its sale.

20 IT IS FURTHER ORDERED that a copy of this Order be attached to
21 and served with the said Warrant for Arrest.

22
23 Dated: 2/12/2007


United States District Judge
IT IS SO ORDERED

MARTIN J. JENKINS
UNITED STATES DISTRICT JUDGE
DATE