

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In the Matter of the Complaint of GLENN
FAGERLIN,

No. C 08-5225 SI


**ORDER STAYING AND ENJOINING
PROSECUTION OF ANY ACTION OR
PROCEEDING AGAINST PLAINTIFF
OR PLAINTIFF’S PROPERTY WITH
RESPECT TO ANY CLAIM SUBJECT
TO LIMITATION IN THIS ACTION**

Plaintiff Glenn Fagerlin filed this action pursuant to the Limitation of Liability Act, 46 U.S.C. § 30501 *et seq.*, which “permits a vessel owner to limits its liability to the value of the vessel and its then pending freight, provided that the loss or damage is incurred without the ‘privity or knowledge’ of the owner.” *In Re Estate of Charles A. Muer*, 146 F.3d 410, 414 (6th Cir. 1998) (quoting 46 U.S.C. § 30505(b)). Plaintiff seeks to limit his liability arising out of a June 8, 2008 collision between his vessel, the “Perception,” and another vessel, the “Touch of Gray.”

In accordance with the Court’s February 13, 2009 order, plaintiff has posted additional security for costs. Accordingly, the Court STAYS and ENJOINS prosecution of any action or proceeding against plaintiff or his property “with respect to any claim subject to limitation in the action.” Supp. Admir. R. F (3); *see also Esta Later Charters, Inc. v. Ignacio*, 875 F.2d 234, 236 (9th Cir. 1989).

IT IS SO ORDERED.

Dated: February 26, 2009



SUSAN ILLSTON
United States District Judge