

United States District Court  
For the Northern District of California

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

OCTAVIAN MARKA, LLC,	)	Case No. 13-2863 SC
	)	
Plaintiff,	)	ORDER DENYING EX PARTE
	)	<u>APPLICATION</u>
v.	)	
	)	
MARKA SHIPPING LTD., in personam,	)	
and M/T MARKA, IMO NO. 9512484, in	)	
rem,	)	
	)	
Defendants.	)	
	)	

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Now before the Court is Plaintiff Octavian Marka, LLC's ("Plaintiff") ex parte application for an order releasing the in rem defendant vessel, the M/T Marka, from arrest and for dismissal of this action without prejudice. ECF No. 26 ("Ex Parte App."). Plaintiff's counsel has filed a declaration of non-opposition on behalf of one of the directors of Defendant Marka Shipping Ltd. ("Defendant"), ECF No. 28, though it remains unclear if this director has the authority to speak on behalf of Defendant. Defendant has yet to make a formal appearance in this action. The Court held a hearing on the matter on August 5, 2013. For the reasons set forth at the hearing, the Ex Parte Application is

1 DENIED without prejudice. The Court grants Plaintiff leave to re-  
2 file an application. Among other things, the amended application  
3 should specify to whom the M/T Marka is being released. The Court  
4 also grants Plaintiff leave to file under seal the "confidential  
5 settlement" referred to in the Ex Parte Application. For future  
6 filings, the Court advises Plaintiff to follow the guidance set  
7 forth by the Court at the hearing.

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IT IS SO ORDERED.

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Dated: August 5, 2013

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UNITED STATES DISTRICT JUDGE

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