

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN THE MATTER OF THE	§	
COMPLAINT OF ROSS ISLAND	§	C.A. NO. 3:14-CV-601
SAND & GRAVEL CO., AS OWNER	§	
OF THE ROLLER BARGE, FOR	§	RULE 9(h), IN ADMIRALTY
EXONERATION FROM OR	§	
LIMITATION OF LIABILITY	§	

**ORDER DIRECTING CLAIMANTS TO FILE AND MAKE PROOF OF
CLAIMS, DIRECTING THE ISSUANCE OF MONITION, AND
RESTRAINING PROSECUTION OF CLAIMS**

Notice is hereby given that Ross Island Sand & Gravel Co. (Ross Island) has filed a complaint on February 7, 2014, pursuant to 46 U.S.C. §§ 30501, *et seq*, and Supplemental Admiralty Rule F, claiming the right to exoneration from, or limitation of liability for, all claims arising out of a claimed incident on or about November 17, 2010, in Stockton, California, on the ROLLER BARGE involving Ron Green. Ross Island was the owner of the ROLLER BARGE at the time of and after the November 17, 2010, incident, and on considering the Complaint and Affidavit of Value of the vessel, which are on file, stating the value of the ROLLER BARGE to be THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00),

IT IS HEREBY ORDERED that a Monition issue against all persons having such claims for any and all losses, personal injuries, destruction of property, as alleged in Ross Island's Complaint for Exoneration from or Limitation of Liability must file them as provided by Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims with the Clerk of this Court, The Hon. Richard W. Wieking, United States District Court, 450 Golden Gate Avenue, Box 36060 San Francisco, CA 94102-3489, and serve on or mail copies to Ross Island's

attorney, Thomas C. Fitzhugh III, Fitzhugh& Elliott, P.C., 12727 Kimberley Lane, Suite 302, Houston, Texas 77024-4053, on or before the 15th day of April, 2014, subject to the rights or any person claiming damages who shall have presented a claim to answer the Complaint and to controvert, or be defaulted and forever barred from such a claim, and that any claimant desiring to contest Ross Island's right to exoneration from or limitation of liability must file an Answer to Ross Island's original complaint and/or a claim as required by Rule F(4) – (5) of the Supplemental Rules, and serve or mail a copy to Ross Island's attorney; and it is further

ORDERED, that public notice of the Motion be given by publication in a newspaper published in the San Francisco area within the Northern District of California, such publication in said paper to be for at least four successive weeks before the return date of this Order demanding the presentation of all claims against Ross Island, and it is further

ORDERED, that the beginning or continued prosecution of any and all suits, actions or legal proceedings of any nature or description whatsoever, except in the present proceeding, in respect of any claim arising out of, consequent upon, or in connection with the aforesaid incident on the ROLLER BARGE on November 17, 2010, described in the Complaint for Exoneration from or Limitation of Liability, are hereby stayed and restrained until the hearing and termination of this proceeding.

Signed this the 11th day of February, 2014.

UNITED STATES DISTRICT COURT

