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 10 Counsel for Plaintiff
 11 World Fuel Services Americas, Inc.

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

16
 17 WORLD FUEL SERVICES AMERICAS, *
 18 INC. Civil Action No.
 19 Plaintiff, * 4:05-CV-02745-CW

20
 21 v. *

22
 23 PM&O Line., * **IN ADMIRALTY**

24
 25 Defendant in personam, *

26
 27 and *

28
 29 MV MICRONESIAN NATIONS, its *
 30 engines, tackle, apparel,

31
 32 Defendant in rem. *

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 35 * * * * *

36 **ORDER GRANTING**
 37 **STIPULATED MOTION OF ALL PARTIES**
 38 **TO PERMIT LOADING AND UNLOADING OF VESSEL**
 39 **WHILE REMAINING UNDER ARREST**

40
 41 The parties hereby move for this Court to order that the M/V MICRONESIAN NATIONS
 42 (the "Vessel"), presently under arrest, may be moved to the Port of Oakland, SSA Terminal, for
 43 loading and unloading of cargo, and the taking on of provisions (including, but not limited to

1 stores, water, and/or fuel) while under arrest. Defendant PM&O, as charterer of the Vessel, for
2 itself and its insurers agrees to indemnify, defend and hold harmless the United States Marshal,
3 the United States District Court for the Northern District of California, the Substitute Custodian
4 (and their agents) against all claims and costs arising in connection with that loading and
5 unloading, including those alleged to arise out of the own negligence of the United States
6 Marshal and Substitute Custodian, and, without limitation, those for tugs, pilotage, stevedoring,
7 and all costs and expenses associated with the loading and unloading of cargo, and the taking on
8 of provisions (including, but not limited to stores, water, and/or fuel), and movement of the
9 Vessel to the Port of Oakland, SSA Terminal, and return to anchorage.

10 Any such claims or costs arising in connection with the loading and unloading of the of
11 cargo, and the taking on of provisions (including, but not limited to stores, water, and/or fuel) to
12 the Vessel while under arrest, including movement to and from anchorage, whether paid or
13 unpaid, shall not be taxable as custodia legis (administrative) expenses or otherwise as costs in
14 this case, and in all event shall be to the sole expense and account of PM&O.

15 Following loading and unloading, the Vessel will return to anchorage within this District
16 as designated by the United States Coast Guard and/or Captain of the Port, and remain under
17 arrest pending further order of the Court.

18 The parties desire to have the Vessel loaded and unloaded at the Port of Oakland, while
19 under arrest, to minimize the disruption of the normal operations of the Vessel and cargo
20 interests, and to permit the Vessel to earn revenues enabling PM&O potentially to satisfy the
21 claims pending against the Vessel.

1 WHEREFORE, the parties respectfully request this Court to grant this motion.

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3 Dated: July 15, 2005
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Substitute Custodian

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SO ORDERED this 15th day of July, 2005.

Claudia Wilken
United States District Court

