

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**CANAVERAL PORT AUTHORITY,  
ET AL.**

**Plaintiffs,**

**-vs-**

**Case No. 6:09-cv-1447-Orl-28DAB**

**M/V LIQUID VEGAS, IMO No. 8409056,**

**Defendant.**

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**ORDER**

This cause came on for consideration with oral argument<sup>1</sup> on the following motions filed herein:

**MOTION: MOTION TO CONFIRM SALE (Doc. No. 135)**

**FILED: November 3, 2009**

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**THEREON it is ORDERED that the motion is GRANTED.**

**MOTION: UNOPPOSED MOTION TO TRANSFER MONIES TO INTEREST-BEARING ACCOUNT (Doc. No. 140)**

**FILED: November 4, 2009**

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**THEREON it is ORDERED that the motion is GRANTED.**

On August 21, 2009, Plaintiff Canaveral Port Authority<sup>2</sup> filed a Verified Complaint to foreclose on its maritime lien for providing maritime necessities to the vessel M/V Liquid Vegas (the "Vessel"). Doc. No.1. On September 8, 2009, the Vessel was arrested by the U.S. Marshal. Prior to the arrest of this Vessel, on March 24, 2009, the current owner of the Vessel, Las Vegas Casino

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<sup>1</sup>Argument was heard on the Motion at the status conference on November 5, 2009. Doc. No. 123.

<sup>2</sup>Numerous other parties have subsequently intervened as Plaintiffs.

Lines, LLC (“Casino Lines”), filed a voluntary Chapter 11 bankruptcy petition in the Middle District of Florida, Orlando Division. *See In re: Las Vegas Casino Lines, LLC*, Case No. 09-3690-ABB. On August 17, 2009, the Bankruptcy Court (Judge Briskman) entered an Order granting the Motion for Relief from the automatic stay and permitting Canaveral Port Authority to file an admiralty action in this Court and arrest the Liquid Vegas as follows: “The automatic stay is modified to permit the [Canaveral Port Authority] to file a Complaint in the United States District Court (the “District Court”) for foreclosure of its United States maritime lien, including the arrest of the ship Liquid Vegas owned by the Debtor, to permit all other parties with such maritime liens to foreclose their maritime liens, and to allow sale of the vessel in the District Court and distribution of the proceeds of the sale of the vessel to satisfy maritime liens.” Doc. No. 4-2. On motion of Plaintiffs, Judge Antoon ordered interlocutory sale of the Vessel set for October 29, 2009. Doc. No. 80.

On October 29, 2009, the Marshal successfully conducted the sale of the Vessel M/V Liquid Vegas, IMO No. 8409056, in accordance with the Court’s previous Order Directing Interlocutory Sale of Vessel (Doc. Nos. 24, 81). Two bidders bid on the Vessel; the winning bid was for \$2,060,000.00, well above the minimum bid amount in the Order setting the October 29, 2009 sale. *See* Doc. No. 120. No objection to the sale was timely filed by November 3, 2009, the deadline for objections set by the Court in accordance with Local Rule 7.05(r). *See* Doc. No. 123. The winning bidder at the sale, The Mermaid I, LLC<sup>3</sup>, presented the balance of the purchase price to the Marshal on November 3, 2009, as required by this Court’s Order. *See* Doc. No. 132 (Marshal’s receipt).

Several Intervening Plaintiffs have now filed a Motion to Confirm the Sale, attaching a proposed Confirmation of Sale. Doc. No. 135. No objections having been filed and the total purchase price having been timely submitted by The Mermaid I, LLC in accordance with Local Rule 7.05(r)

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<sup>3</sup>Michael L. Kaminsky bid on behalf of The Mermaid, LLC.

and the Court's Orders governing the sale of the Vessel, the Motion to Confirm Sale is **GRANTED**. The Clerk is **DIRECTED** to file and docket a Confirmation of Sale which conforms to MDF 710 in the Appendix to the Local Admiralty Rules, and promptly transmit a certified copy of the Confirmation of Sale to the Marshal's Office.

The United States Marshal is **DIRECTED** to execute and deliver a bill of sale of the M/V Liquid Vegas, IMO 8409056, her engines, boilers, tackle, equipment, apparel, appurtenances, *etc.*, to The Mermaid I, LLC, and the M/V Liquid Vegas, her engines, boilers, tackle, equipment, apparel, appurtenances, *etc.*, which shall be conveyed by the United States Marshal "as is, where is," free and clear of all liens and encumbrances. The appurtenances include the gaming equipment and carpet referenced in the Order for sale. The Court reserves jurisdiction to resolve any remaining disputes regarding items stored at the Port Canaveral warehouse.

The Clerk is **DIRECTED** to accept funds into the court registry in the approximate amount of \$2,060,000 as proceeds of the sale of the Vessel. The clerk is further **DIRECTED** to deposit funds into an interest bearing account and hold them until further instructions from the court.

**DONE and ORDERED** in Orlando, Florida on November 6, 2009.

*David A. Baker*

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DAVID A. BAKER  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Parties