

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
IN ADMIRALTY**

ODYSSEY MARINE EXPLORATION, INC.,

Plaintiff,

CIVIL ACTION

v.

**THE UNIDENTIFIED, SHIPWRECKED
VESSEL OR VESSELS, their apparel, tackle,
appurtenances and cargo located within center
point coordinates:**

NO. 8:06-CV-1685-T23-TBM

49° 25' N, 6° 00' W; Radius: 5 nautical miles

in rem

Defendant(s).

AFFIDAVIT OF IRREPARABLE HARM

1. My full name is John Morris. My legal address is 5215 West Laurel Street, Tampa, Florida 33607. I am competent to testify as to the matters covered in this affidavit.

2. I have served as President and Chief Executive Officer of Plaintiff, Odyssey Marine Explorations, Inc. (hereinafter referred to as "Odyssey"), for 12 years.

3. I have personal knowledge of Odyssey's search for and recovery of the subject Defendant Shipwrecked Vessel.

4. Odyssey has had many years of experience in the search and recovery of shipwrecks and in the stabilization, conservation and curation of objects and artifacts recovered from ocean environments. Such objects and artifacts quickly degrade unless properly conserved. It is necessary for purposes of fulfilling the appropriate archaeological protocols for a site such as this wreck that proper recovery operations and

conservation of objects be performed. Allowing interference with Odyssey's ongoing operations would substantially and irreparably harm Odyssey in that safe and successful salvage operations as well as the archaeological integrity would be jeopardized

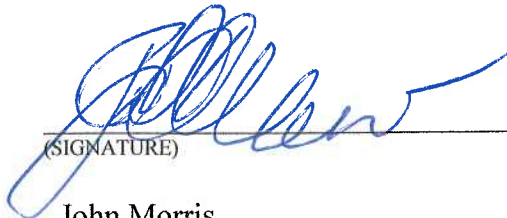
5. Irreparable harm will occur to the vessel and to the artifacts if Odyssey is not permitted to maintain its recovery efforts unfettered by rival salvors or other inexperienced third parties.

6. Furthermore, Odyssey will suffer irreparable injury if injunctive relief is not issued because Odyssey has expended considerable resources in locating, studying and surveying the Defendant Shipwrecked Vessel, in researching its origin, in preserving the historical value of the wreck by photographing the site, and in developing an archaeological excavation and conservation plan.

7. Odyssey has committed its financial resources, time, manpower, equipment and its vessels to these efforts, as well as to its preparation for the actual recovery operations. To allow others to come in at this time and reap the benefits of Odyssey's labor would constitute irreparable harm and injury to Odyssey for which there is no adequate remedy at law.

8. To Odyssey's knowledge and belief, no entity or person, other than Odyssey, presently claims any ownership interest in the Defendant Shipwrecked Vessel.

FURTHER AFFIANT SAYETH NOT.



(SIGNATURE)

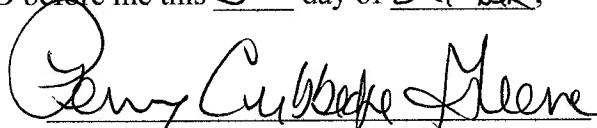
John Morris

(TYPED NAMED)

STATE OF FLORIDA
COUNTY HILLSBOROUGH

Before me, the undersigned authority, personally appeared this day 5 October 2006, who has produced Personally Known as identification or is personally known to me, and who was duly sworn and says that the foregoing is true and correct to the best of his/her information and belief.

SWORN TO AND SUBSCRIBED before me this 5 day of October,
2006.



Notary Public, State of Florida
at Large

#2274470v1

