

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

ODYSSEY MARINE EXPLORATION, INC.	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	Case No: 8:07-CV-00614-SDM-MAP
	:	
THE UNIDENTIFIED, SHIPWRECKED VESSEL,	:	
if any, its apparel, tackle, appurtenances and	:	
cargo located within a five mile radius of the	:	
center point coordinates provided to the Court	:	
under seal,	:	
	:	
Defendant;	:	
in rem	:	
	:	

**MEMORANDUM IN OPPOSITION TO CLAIMANT KINGDOM OF
SPAIN’S MOTION TO COMPEL SERVICE BY PLAINTIFF OF
AFFIDAVIT FILED WITH THE COURT UNDER SEAL**

COMES NOW, Plaintiff, ODYSSEY MARINE EXPLORATION, INC., by and through its undersigned counsel, and opposes the Motion to Compel Service by Plaintiff of Affidavit Filed with the Court Under Seal (Dkt. 109).

Local Rule of Civil Procedure 3.01 requires a Certificate of Compliance be attached to any motion regarding discovery. No such certificate has been attached to this motion. While this motion was being filed, the undersigned was sending correspondence to opposing counsel in an effort to resolve the dispute. In fact, conversations between the parties are continuing in efforts to resolve this matter.

For the reasons set forth above, the Motion to Compel Service by Plaintiff of Affidavit Filed with the Court Under Seal should be denied.

Respectfully submitted,

s/ Allen von Spiegelfeld
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 14, 2008, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to James A. Goold, Covington & Burling LLP, 1201 Pennsylvania Ave., NW, Washington, DC 20004; and David C. Banker, Bush Ross P.A., 220 S. Franklin Street, P. O. Box 3913, Tampa, FL 33601, Attorneys for Claimant, Kingdom of Spain.

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