

EXHIBIT C

JOSÉ LUIS GOÑI ETCHEVERS

UNITED STATES DISTRICT COURT
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 :
 and :
 :
 The Kingdom of Spain and the Republic of Peru, :
 :
 Claimants. :
 _____ /:

AFFIDAVIT OF JOSÉ LUIS GOÑI ETCHEVERS
IN SUPPORT OF ODYSSEY MARINE EXPLORATION, INC.'S RESPONSE TO
CLAIMINAT, SPAIN'S, MOTION TO DISMISS OR FOR SUMMARY JUDGMENT

1. I am a citizen of Spain and I am a Spanish lawyer and co-counsel for Odyssey Marine Exploration, Inc. ("ODYSSEY") in Spain.
2. I have prepared this declaration in response to the Declaration of Ms. Elisa de Cabo - exhibited at F of the Motion to Dismiss (Dkt. 131-16).
3. I consider myself an ardent defender of my country's cultural and historical heritage. Since being retained by ODYSSEY, some ten years ago, I have taken every

opportunity to encourage a dialogue between Spain and ODYSSEY believing as I do, that it is in the best interest of my country to protect her underwater cultural heritage and ODYSSEY has the technology and underwater archaeological expertise to help Spain do this.

4. It is in the context of my firm belief that it is in Spain's best interest to protect her underwater cultural and historical heritage that I have conducted all meetings with the Spanish administration.

5. I clearly recollect that a meeting took place with Ms. de Cabo on the 17th November 2006 at approximately 1000hrs. I do not agree with her recollection of the content of that meeting or the tone of the exchanges.

6. The November 2006 meeting was not an isolated event, but one in a series of meetings that ODYSSEY had with, *inter alia*, the Ministry of Culture to discuss cooperation on the protection of Spanish underwater cultural and historical shipwrecks in an on-going, long-term strategy intended to achieve a working partnership with Spain, along the lines of the partnership that ODYSSEY already enjoys with the British Government on the recovery of her warship *SUSSEX*.

7. The possibility of a collaboration between Spain and ODYSSEY began in 1998 with discussions with the Ministry of Foreign Affairs. In fact, on the 3rd January 2000, ODYSSEY gave a presentation at the invitation of the Ministry of Foreign Affairs on its technology and archaeological practices to a meeting of representatives of the Spanish administration, including the Ministry of Culture, the Ministry of Defence, the Ministry of Transport, the Ministry of Agriculture and Fishing – again, with a view, *inter alia*, to making the Spanish administration familiar with what ODYSSEY does and the excellence of their

underwater archaeology. Mr. Luis Lafuente, the Subdirector General for the Protection of Historical Heritage of the Ministry of Culture (Ms. de Cabo's immediate superior in the Ministry of Culture) also attended this meeting. I attach as EXHIBIT 1 a copy of the attendance list for the meeting prepared and circulated by the Ministry of Foreign Affairs at the meeting.

8. Further, and most importantly, on the 27th March 2005, a meeting was convened specifically with Mr. Lafuente, in which the possibility of collaboration was once again discussed. Whilst this meeting was held only two months prior to Spain's formal ratification of the 2001 UNESCO Convention¹, Mr. Lafuente expressly encouraged ODYSSEY to present a project plan for cooperation with Spain. It was in response to this encouragement that ODYSSEY followed up in writing to Mr. Lafuente on the 1st April 2005 (with a summary of the meeting and proposed action plan based on discussions during the meeting (EXHIBIT 2) - The text of said letter speaks for itself:

"5. Recognizing Odyssey's leadership in the field of deep-ocean archaeology and conservation, and in view of Odyssey's willingness to cooperate with the Kingdom of Spain in protection of Spain's sovereign immune shipwrecks which Odyssey may locate in international waters or other countries, we would like to develop a protocol for dealing with these shipwrecks in advance of locating them . . .

. . . Requested action: for you [Spain] to provide a proposed protocol for notification protection and process for possible engagement of Odyssey's archaeological services for Spanish shipwrecks outside Spain's territorial waters"

¹ Spain ratified the 2001 UNESCO Convention on the 6th June 2005

It is clear from this summary of the relevant discussion at that meeting that, if Mr. Lafuente believed at that time that Spanish policy would change in respect of the potential for cooperation with ODYSSEY following Spain's ratification of the 2001 UNESCO Convention, then he failed to make any mention of this in the meeting or otherwise contradict the encouragement being given by Spain to ODYSSEY. This meeting was attended by Mr. Michael Sestak of the US Embassy and a copy of the letter of the 1st April 2005, was forwarded to the US Embassy at that time².

9. It is only with this background in context, that the meeting, which was intended to be with Mr. Lafuente as a follow-up to the March 2005 meeting, can be understood. The meeting in November 2006, which was attended by Ms. de Cabo was therefore not an isolated event - and having only ever received positive encouragement from Spain in the past meetings, ODYSSEY continued to promote the idea of a collaboration with Spain. The meeting with the Ministry of Culture was convened by ODYSSEY in the same spirit of good faith as the meetings that had gone before it.

10. As I state above, the meeting was intended to be with Mr. Lafuente, and we were only informed at the last minute that Mr. Lafuente was unable to attend. Since Ms. de Cabo was new to us and seemed to be unfamiliar with the dialogue that already existed with the Ministry of Culture; Mr. Stemm renewed his offer of collaboration and to once again invite Spain to actively take steps to protect its underwater cultural heritage. Mr. Stemm spoke again of the Punic and Roman wreck sites that had been located in international waters

² In line with the continued strategy, in June 2005 following a meeting in Sevilla with the Junta of Andalucia, ODYSSEY was also encouraged by officials of the Junta to send a proposal of "*terms of cooperation between ODYSSEY and the Junta of Andalucia*" to "*protect Andalucia's deep ocean cultural heritage*". At this meeting representatives of both the US and UK governments were present and witnessed the encouragement given to Odyssey in respect of collaboration on projects to protect underwater cultural heritage.

but spoke of no specific vessels. Further, Mr. Stemm referred to the research that was going on to locate shipwrecks in the Atlantic outside Spanish jurisdictional waters that could be of great cultural and historical significance and upon which Spain and ODYSSEY could begin to collaborate.

11. In response, Ms. de Cabo expressed her understanding that the laws of Spain prevent archaeology for commercial gain. I explained my position that such a proposition was incorrect as a matter of law. She was also under the impression that Spanish law did not allow Spain to enter into any such collaboration with a private company such as ODYSSEY acting for commercial gain - I again explained that this was not correct.

12. All Ms. de Cabo's comments during the meeting were made in the context of these erroneous general assertions of the position under Spanish law. I can categorically state that at no time did Ms. de Cabo warn Mr. Stemm or myself that "*operations by ODYSSEY to take and sell objects from a shipwreck in which the Government of Spain has an interest would not be authorized or approved*" neither generally nor in connection with any particular project. I have reviewed my notes from the meeting which were taken contemporaneously. They reflect that far from giving warnings or contradicting the position adopted by Mr. Lafuente in the very cordial meeting the year before, Ms. de Cabo discussed what she understood to be the law and archaeological technology used by Odyssey and compliance of such technology with the archaeological principles identified in the 2001 UNESCO Convention, still not in force. My clear recollection is that there was no issue raised in relation to whether Odyssey specifically required "permission" or "authorization" or "consent" since, as in meetings previously held with the Ministry of Foreign Affairs and the

Ministry of Culture during the many years of dialogue with Spain, this was never an issue when discussing proposals for collaboration and cooperation on the location and recovery of Spanish cultural and historical underwater heritage.

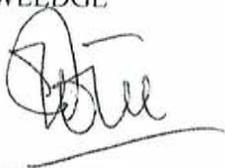
13. I did express my dissatisfaction at the outcome of the meeting to Ms. de Cabo, but not because, as Ms. de Cabo seems to suggest, ODYSSEY was not to be given “authorization or consent” - which I repeat was never under debate, but at Spain’s continued indifference to act in its own best interests as evidenced, in my view, by Spain’s ratification of the 2001 UNESCO Convention. I did not state that “*Spanish law is ridiculous*” or anything of this nature, since I do not share Ms. de Cabo’s interpretation of Spanish law - and believe that contrary to her position, Spanish law does not prohibit underwater archaeology for commercial gain.

14. The meeting with Ms. de Cabo was cordial, although unproductive and clearly at the time, of limited interest to Ms. de Cabo, who does not seem to have even remembered the date of the meeting correctly, but since at that time ODYSSEY planned to return to operations on the SUSSEX, thanks to the intervention of the Ministry of Culture and the Ministry of Foreign Affairs; we firmly believed that we could re-visit the issue at some future date with Mr. Lafuente.

15. It has recently come to my attention that in the Spanish press there is a sale of coins from the wreck of the Spanish warship “EL CAZADOR” which sank in 1784 and was discovered off the coast of Louisiana earlier this year. The advertisement placed in the press (EXHIBIT 3) confirms that “*authorization*” for the “*importation and commercial sale*” (“*de una importacion debidamente autorizada y su comercializacion*”) of these coins was given

(" una importacion debidamente autorizada y su comercializacion ") of these coins was given by the Spanish administration. Such advertisement and marketing appears to be in clear contradiction of Ms. de Cabo's statement in her affidavit.

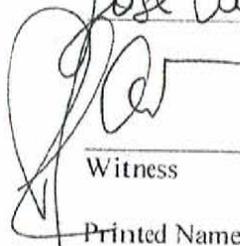
I CERTIFY THAT THE ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE



José Luis Goñi Etchevers

The foregoing instrument was acknowledged before me this 13th day of November, 2008 by

José Luis Goñi E. . He is personally known by me.



Witness

Printed Name: Roberto Jara Alarce

Title: Abogado ICAM 50135.

RELACION DE PERSONAS CONVOCADAS
(REUNION 3 ENERO 2.000)

MINISTERIO DE ASUNTOS EXTERIORES:

- D^o MARIA BASSOLS DELGADO. Subdirectora General de Relaciones Económicas Multilaterales y de Cooperación Aérea, Marítima y Terrestre. Dirección General de Relaciones Económicas internacionales.
Tfno: 91-379-95-20.
Fax: 91-576-25-77.
- D. FERNANDO CÚRCIO. Asesoría Jurídica Internacional.
Tfno: 91-379-99-14.
Fax: 91-578-10-78.
- D. FRANCISCO JAVIER PEREZ-GRIFFO. Asesor Ejecutivo para Asuntos de Gibraltar.
Dirección General de Política Exterior para Europa.
Tfno.: 91-379-97-01.
Fax: 91-366-28-09.

MINISTERIO DE DEFENSA:

- D. JESUS UBIERNA. Teniente Coronel Jefe de Unidad de Relaciones Internacionales.
Dirección General de Política de Defensa.
Tfno: 91-555-50-00 (ext. 2480).
Fax: 91-395-51-89.
- D. JOSE IGNACIO GONZALEZ-ALLER. Director del Museo Naval de Madrid.
Tfno: 91-379-52-97.
Fax: 91-379-59-45.

MINISTERIO DE FOMENTO:

- D. MANUEL NOGUEIRA. Subdirector General de Tráfico, Seguridad y Contaminación Marítima.
Dirección General de la Marina Mercante.
Tfno: 91-597-92-70.
Fax: 91-597-92-87.

Exhibit 1

MINISTERIO DE AGRICULTURA, PESCA Y ALIMENTACION:

- D. ANTONIO GARCIA ELORRIAGA. Subdirector General del Caladero Nacional y Acuicultura.
Dirección General de Recursos Pesqueros.
Tfno: 91-402-74-41.
Fax: 91-402-02-12.
- D. ANTONIO DICENTA. Coordinador de Relaciones Internacionales.
Instituto Español de Oceanografía.
Tfno: 91-597-44-43.
Fax: 91-597-47-70.

MINISTERIO DE INDUSTRIA Y ENERGIA:

- D. EDUARDO RAMOS GARCIA. Subdirector General de Ordenación Minera y Minería no Energética.
Dirección General de Minas.
Tfno: 91-349-44-66.
Fax: 91-349-44-60.

MINISTERIO DE EDUCACION Y CULTURA:

- D^a MATILDE SANCHEZ-AYUSO. Subdirectora General de Relaciones Internacionales.
Consejo Superior de Investigaciones Científicas.
Tfno: 91-585-51-06.
Fax: 91-585-51-19.
- D. LUIS LAFUENTE BATANERO. Subdirector General de Protección del Patrimonio Histórico.
Dirección General de Bellas Artes y Bienes Culturales.
Tfno: 91-701-70-35.
Fax: 91-522-93-05.

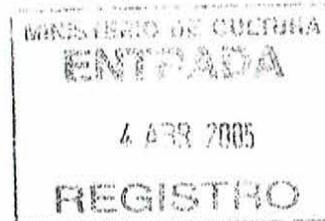
EMPRESA ODYSSEY MARINE EXPLORATION:

SR. JOHN MORRIS. Vicepresidente de ODYSSEY MARINE EXPLORATION.
Tfno: 00-1-813-282-0855.
Fax: 00-1-813-282-0665.

D. JOSÉ LUIS GOÑI y D^a MARIE RAHEEM. GOÑI CO. ABOGADOS.
Tfno: 91-563-47-40.
Fax: 91-563-11-43.

MINISTERIO DE ASUNTOS EXTERIORES:

D. JORGE SOBREDO. Subdirector General de Relaciones Culturales Internacionales
Dirección General de Relaciones Culturales y Científicas
Tfno: 91-379-96-67
FAX: 91-531-98-64



April 1, 2005

Sr. Luis Lafuente Batanero
SubDirector General del Proteccion del Patrimonio Historico
Ministerio de Cultura, Kingdom of Spain
Plaza de Rey, 1
28004, Madrid, Spain

RE: Meeting at Ministry of Culture March 27, 2005 arranged by Sr. José Pons Irazábal, Ministry of Foreign Affairs, Kingdom of Spain

In Attendance: Luis Lafuente Batanero (Ministry of Culture, Kingdom of Spain), Greg Stemm (Odyssey), Jose Luis Goñi, Marie Rogers (Goñi and Associates) and Michael Sestak (Embassy of the United States of America)

Dear Sr. Lafuente,

First of all, let me express my thanks to you for taking the time to explain Spain's position and for allowing us to answer your questions relating to the Sussex project.

Those in attendance felt that your explanation of concerns was useful and provides a framework to prevent any problems with the project going forward, as well as to possibly involve Spain in the observation of the archaeological excavation of the shipwreck of the Sussex and perhaps other projects in a positive manner.

At the end of our discussions today, you and I agreed on a course of action which reflected the issues you presented, and this letter serves to confirm the results of our discussions.

I understand that you are requesting that we temporarily cease operations so that you may conduct some research within the Spanish Government in order to propose action on the following issues:

1. Spain's interest in becoming involved with the archaeology of the Sussex

Without prejudice to the legal status of waters the Sussex lies in, you have suggested that the fact that it lies close to Spain represents an opportunity for the UK to extend to Spain an invitation for some involvement in certain aspects of the archaeological excavation of

the shipwreck, in order to further your own research into the underwater cultural heritage close to Spain's shores.

This potential cooperation might include a proposal for a Spanish appointed archaeologist to be invited to join the operation to observe and report the results to the Spanish Government.

Requested action: You will propose the terms of Spain's desired archaeological association with the Sussex project.

2. A policy for shipwrecks of other nations with Spanish historical association

You expressed that Spain has a cultural interest in historical shipwrecks that have somehow been involved in the Kingdom of Spain's history, without regard to ownership. You expressed that the Kingdom of Spain would like to present its ideal parameters for involvement in these types of projects and possibly other sovereign Spanish shipwrecks that Odyssey may find, whether in international waters, or the waters of other countries.

Requested action: For you to provide a proposed protocol for Spain's involvement with shipwrecks that Odyssey may find that are not Spain's property, but with Spanish heritage association.

3. Determination of Spain's competent authority for Sussex and other projects

Considering items #1 and #2 above, Spain will propose a strategy for assigning the competency for cultural resource management – whether in territorial waters or international waters.

The result will be a specific recommendation for the competency and involvement of the Spanish government.

Requested action: For you to identify Spain's competent authority for the supervision of Spain's involvement with the shipwrecks with whom we will be in consultation in the future.

4. Policy with the United States and the United Kingdom on warships

Spain wishes to develop a policy in coordination with the UK and the US for the management of sovereign warships, with respect for ownership rights, but taking into consideration cultural associations and the desire to share archaeological information – without regard for where shipwrecks lie.

This policy might entail use of the Sussex as a model for the first shipwreck project accomplished under this protocol.

Requested action: For you to contact appropriate authorities in Spain that are dealing with sovereign shipwreck legal issues in the UK and US and provide comment on whether any legal initiatives by these countries might be applicable to the Sussex project.

Odyssey will seek to have information from both these countries furnished to you to assist on this issue.

5. Protocol for Spanish shipwrecks found throughout the world

Recognizing Odyssey's leadership in the field of deep ocean archaeology and conservation, and in view of Odyssey's willingness to cooperate with the Kingdom of Spain in protection of Spain's sovereign immune shipwrecks which Odyssey may locate in international waters - or the territorial waters of other countries - we would like to develop a protocol for dealing with these shipwrecks in advance of locating them.

This protocol would include an agreement for notification as well as a policy for protection, potential archaeological excavation and conservation, as well as ultimate disposition of artifacts subject to the regulations of the Kingdom of Spain.

Requested action: For you to provide a proposed protocol for notification, protection and process for possible engagement of Odyssey's archaeological services for Spanish shipwrecks outside Spain's territorial waters.

6. Proposed demonstration project

At this time, Odyssey is prepared to collaborate with you to conduct a model excavation of one of the ancient Roman or Phoenician shipwrecks we have located in the territorial waters of Spain. This would be accomplished in cooperation with the competent archaeological authority of Spain, and the collection of artifacts, as well as all records from the project would be turned over to Spain.

Requested action: For you to provide Odyssey with the appropriate contacts in the Institution or Department in Spain with whom such a project might be undertaken, as well as the course for authorization of such an operation, conditional on meeting Spain's legal and policy requirements for such a project.

7. Project plan questions

We understand that your archaeologists are carefully reviewing the Sussex project plan, and intend to provide questions relative to that document. Once we have received those questions, we will endeavor to answer any of your concerns or address any issues which might result from their examination.

We also stand ready to propose to the UK Government that selected members of your team visit the ship as observers in order to become familiar with the archaeological technology and systems firsthand.

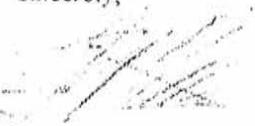
Requested action: For you to provide Odyssey with a list of questions related to the Sussex project plan that the Ministry of Culture would like addressed as soon as possible so that we have time to respond before April 15.

I believe that these are the outstanding issues that you and I decided should be addressed going forward, in order to provide the Kingdom of Spain an understanding of the Sussex project, but also to move forward in other areas of possible cooperation in the management and protection of underwater cultural heritage.

As we discussed, we understand that there are policy decisions to be made and other agencies to consult in the development of a response to these issues, which will take some time. I have consulted with our Directors, and we have decided to suspend operations on the Sussex site for 15 days in order to show our good faith and to provide you with time to present us with a plan to address these issues, as well as a timetable that you feel may be necessary to address any outstanding issues that cannot be dealt with within this time period.

Again, I appreciate your cooperation and stand ready to provide whatever assistance you might require to help in the resolution of these issues.

Sincerely,



Greg Stemm
Director, Odyssey Marine Exploration Inc.

Salen a la venta auténticos Reales de a ocho procedentes del naufragio del bergantín español "El Cazador", hundido en 1784

Gran expectación entre los coleccionistas por conseguir una de estas magníficas monedas de plata con la efigie de Carlos III, acuñadas en México en 1783, que han permanecido en el fondo del mar durante más de 200 años.

M. B. C.

La iniciativa de la conocida sociedad especializada en objetos de coleccionismo, Galería del Coleccionista, de poner a disposición del público estas monedas auténticas de gran valor histórico ha despertado mucha expectación, dado el creciente interés por los tesoros del pasado que yacen en el fondo del mar. Estos Reales de a ocho, acuñados durante el reinado de Carlos III, proceden del tesoro resca-

tado del barco "El Cazador", hundido frente a las costas de Luisiana en 1784, y son un fragmento de nuestra historia y todo un símbolo de la magnitud del Imperio Español a finales del XVIII.

"Desde el inicio sabíamos que se trataba de una oportunidad única y esperamos que tuviera una gran acogida, pero los primeros resultados han superado todas nuestras expectativas", afirmaba Aurelio A. Redondo, miembro de Galería del Coleccionista. "La posibilidad de poseer la que fue la primera divisa de uso mundial es apasionante. Y no cabe duda de que tener en la mano parte del botín de un barco español hundido hace más de 200 años es muy emocionante".

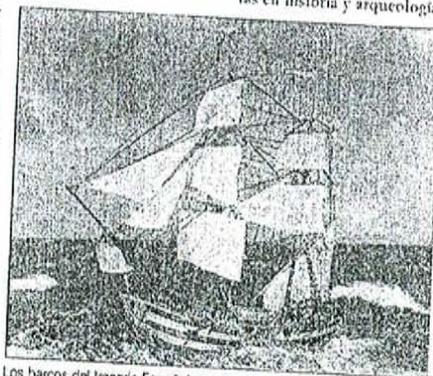
El naufragio de "El Cazador". El 11 de enero de 1784 el bergantín español "El Cazador" emprendió el que sería su último viaje, desde Veracruz hasta Nueva Orleans, con un importante cargamento de Reales de a ocho de plata acuñados en las cecas de México. Estas monedas, destinadas a estabilizar el débil sistema monetario de la que entonces era colonia española, nunca llegaron a su destino, ya que "El Cazador" naufragó misteriosamente frente a las

costas de Luisiana. Nunca se sabrá si la causa del naufragio fueron las tormentas o los ataques de piratas tan habituales en aquella época, sólo se sabe que "El Cazador"

"Realmente me siento como un auténtico privilegiado por poder exhibir en mi hogar una moneda auténtica española del siglo XVIII que forma parte del tesoro de un barco hundido. Siempre pensé que sería algo que sólo podía admirar en un museo" afirmaba uno de los coleccionistas.

naufragaron el principio del fin del dominio español sobre el territorio de Luisiana. La primera divisa de uso mundial.

La relevancia histórica del Real de a ocho trasciende todas las fronteras. Esta moneda se considera la primera divisa de uso mundial, gracias al amplio uso que tuvo en el comercio a finales del siglo XVIII en Europa, América y el lejano Oriente. De hecho, el Real de a ocho fue moneda de curso legal en los Estados Unidos hasta el año 1857 y se conocía como el "Spanish Dollar".



Los barcos del Imperio Español surcaban los mares con importantes cargamentos de monedas procedentes de las cecas americanas, convirtiéndose así en objetivo de los piratas.



Auténticos Reales de a ocho, de plata, acuñados durante el reinado de Carlos III y hallados en el pecio "El Cazador".

En el caso del botín rescatado de "El Cazador", se trata de Reales de a ocho acuñados a finales del reinado de Carlos III, por ello en una cara aparece su efigie y en la otra el escudo de España. Y son precisamente las columnas del escudo y las bandas que las envuelven las que se dice dieron origen al símbolo del dólar "S".

Excepcional oportunidad de poseer un fragmento real de nuestra historia. Cuando el 2 de agosto de 1993 el pesquero "The Mistake" (El Error) de Jerry Murphy salió a fondear y sus redes se engancharon con "algo", ningún miembro de la tripulación podía imaginar que acababan de descubrir el tesoro del pecio "El Cazador". Sin embargo, una vez rescatado el botín, especialistas en historia y arqueología

lo identificaron como el cargamento del bergantín español. A partir de ese momento se despertó un gran interés entre los coleccionistas por las monedas halladas, pero han pasado varios años hasta que una parte de este botín se ha podido poner al alcance del público español gracias a la iniciativa de Galería del Coleccionista.

Sin duda, es una oportunidad excepcional, ya que no es habitual que un coleccionista privado pueda acceder a estos tesoros. De hecho, en España, de acuerdo con la ley 16/1985 del Patrimonio Histórico Español, los hallazgos de bienes tienen una regulación exhaustiva que establece la obligación de comunicar cualquier hallazgo casual y fija los criterios de distribución o compensación con el descubridor.

Por eso, es una garantía muy importante saber que en el caso de los Reales de a ocho, que Galería del Coleccionista ha puesto a la venta, se ha respetado en todo momento la legalidad vigente, ya que proceden de una importación debidamente autorizada y su comercialización cumple todos los requisitos legales pertinentes. Sin duda han sido muchas las gestiones necesarias para traer a España estos fragmentos de nuestra historia, pero ha merecido la pena al comprobar la satisfacción que muestran los coleccionistas que ya tienen en sus manos una de estas magníficas monedas.

Monedas únicas. Los Reales de a ocho pertenecientes a este lote son de plata y tienen un diámetro aproximado de 40 mm. No hay dos iguales, ya que el paso del tiempo y el mar han dejado su huella en cada uno de ellos, embelleciéndolos de manera diferente. Se entregan elegantemente presentados para su exhibición y acompañados de su Certificado de Autenticidad. Son auténticas reliquias históricas que cualquier persona se sentirá orgullosa de poseer y exhibir en su hogar.

Oportunidad Excepcional

A partir de hoy, usted puede conseguir un auténtico Real de a ocho de plata, acuñado en 1783 y procedente del pecio "El Cazador", por sólo 59€, más 4€ de gastos de envío.

Llame hoy mismo a Galería del Coleccionista

Tel.: 902 107 902

y no se pierda esta magnífica oportunidad.

RELACION DE PERSONAS CONVOCADAS

(REUNION 3 ENERO 2.000)

MINISTERIO DE ASUNTOS EXTERIORES:

- D^o MARIA BASSOLS DELGADO. Subdirectora General de Relaciones Económicas Multilaterales y de Cooperación Aérea, Marítima y Terrestre. Dirección General de Relaciones Económicas internacionales.
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- D. JOSE IGNACIO GONZALEZ-ALLER. Director del Museo Naval de Madrid.
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Dirección General de la Marina Mercante.
Tfno: 91-597-92-70.
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Exhibit 1

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Dirección General de Recursos Pesqueros.
Tfno: 91-402-74-41.
Fax: 91-402-02-12.

D. ANTONIO DICENTA. Coordinador de Relaciones Internacionales.
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Fax: 91-349-44-60.

MINISTERIO DE EDUCACION Y CULTURA:

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D. LUIS LAFUENTE BATANERO. Subdirector General de Protección del Patrimonio Histórico.
Dirección General de Bellas Artes y Bienes Culturales.
Tfno: 91-701-70-35.
Fax: 91-522-93-05.

EMPRESA ODYSSEY MARINE EXPLORATION:

SR. JOHN MORRIS. Vicepresidente de ODYSSEY MARINE EXPLORATION.
Tfno: 00-1-813-282-0855.
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D. JOSÉ LUIS GOÑI y D^a MARIE RAHEEM. GOÑI CO. ABOGADOS.
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Fax: 91-563-11-43.

MINISTERIO DE ASUNTOS EXTERIORES:

D. JORGE SOBREDO. Subdirector General de Relaciones Culturales Internacionales
Dirección General de Relaciones Culturales y Científicas
Tfno: 91-379-96-67
FAX: 91-531-98-64



April 1, 2005

Sr. Luis Lafuente Batanero
SubDirector General del Proteccion del Patrimonio Historico
Ministerio de Cultura, Kingdom of Spain
Plaza de Rey, 1
28004, Madrid, Spain

RE: Meeting at Ministry of Culture March 27, 2005 arranged by Sr. José Pons Irazazábal, Ministry of Foreign Affairs, Kingdom of Spain

In Attendance: Luis Lafuente Batanero (Ministry of Culture, Kingdom of Spain), Greg Stemm (Odyssey), Jose Luis Goñi, Marie Rogers (Goñi and Associates) and Michael Sestak (Embassy of the United States of America)

Dear Sr. Lafuente,

First of all, let me express my thanks to you for taking the time to explain Spain's position and for allowing us to answer your questions relating to the Sussex project.

Those in attendance felt that your explanation of concerns was useful and provides a framework to prevent any problems with the project going forward, as well as to possibly involve Spain in the observation of the archaeological excavation of the shipwreck of the Sussex and perhaps other projects in a positive manner.

At the end of our discussions today, you and I agreed on a course of action which reflected the issues you presented, and this letter serves to confirm the results of our discussions.

I understand that you are requesting that we temporarily cease operations so that you may conduct some research within the Spanish Government in order to propose action on the following issues:

1. Spain's interest in becoming involved with the archaeology of the Sussex

Without prejudice to the legal status of waters the Sussex lies in, you have suggested that the fact that it lies close to Spain represents an opportunity for the UK to extend to Spain an invitation for some involvement in certain aspects of the archaeological excavation of

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Tel: 303.751.9777 Fax: 303.751.9778

the shipwreck, in order to further your own research into the underwater cultural heritage close to Spain's shores.

This potential cooperation might include a proposal for a Spanish appointed archaeologist to be invited to join the operation to observe and report the results to the Spanish Government.

Requested action: You will propose the terms of Spain's desired archaeological association with the Sussex project.

2. A policy for shipwrecks of other nations with Spanish historical association

You expressed that Spain has a cultural interest in historical shipwrecks that have somehow been involved in the Kingdom of Spain's history, without regard to ownership. You expressed that the Kingdom of Spain would like to present its ideal parameters for involvement in these types of projects and possibly other sovereign Spanish shipwrecks that Odyssey may find, whether in international waters, or the waters of other countries.

Requested action: For you to provide a proposed protocol for Spain's involvement with shipwrecks that Odyssey may find that are not Spain's property, but with Spanish heritage association.

3. Determination of Spain's competent authority for Sussex and other projects

Considering items #1 and #2 above, Spain will propose a strategy for assigning the competency for cultural resource management – whether in territorial waters or international waters.

The result will be a specific recommendation for the competency and involvement of the Spanish government.

Requested action: For you to identify Spain's competent authority for the supervision of Spain's involvement with the shipwrecks with whom we will be in consultation in the future.

4. Policy with the United States and the United Kingdom on warships

Spain wishes to develop a policy in coordination with the UK and the US for the management of sovereign warships, with respect for ownership rights, but taking into consideration cultural associations and the desire to share archaeological information – without regard for where shipwrecks lie.

This policy might entail use of the Sussex as a model for the first shipwreck project accomplished under this protocol.

Requested action: For you to contact appropriate authorities in Spain that are dealing with sovereign shipwreck legal issues in the UK and US and provide comment on whether any legal initiatives by these countries might be applicable to the Sussex project.

Odyssey will seek to have information from both these countries furnished to you to assist on this issue.

5. Protocol for Spanish shipwrecks found throughout the world

Recognizing Odyssey's leadership in the field of deep ocean archaeology and conservation, and in view of Odyssey's willingness to cooperate with the Kingdom of Spain in protection of Spain's sovereign immune shipwrecks which Odyssey may locate in international waters – or the territorial waters of other countries - we would like to develop a protocol for dealing with these shipwrecks in advance of locating them.

This protocol would include an agreement for notification as well as a policy for protection, potential archaeological excavation and conservation, as well as ultimate disposition of artifacts subject to the regulations of the Kingdom of Spain.

Requested action: For you to provide a proposed protocol for notification, protection and process for possible engagement of Odyssey's archaeological services for Spanish shipwrecks outside Spain's territorial waters.

6. Proposed demonstration project

At this time, Odyssey is prepared to collaborate with you to conduct a model excavation of one of the ancient Roman or Phoenician shipwrecks we have located in the territorial waters of Spain. This would be accomplished in cooperation with the competent archaeological authority of Spain, and the collection of artifacts, as well as all records from the project would be turned over to Spain.

Requested action: For you to provide Odyssey with the appropriate contacts in the Institution or Department in Spain with whom such a project might be undertaken, as well as the course for authorization of such an operation, conditional on meeting Spain's legal and policy requirements for such a project.

7. Project plan questions

We understand that your archaeologists are carefully reviewing the Sussex project plan, and intend to provide questions relative to that document. Once we have received those questions, we will endeavor to answer any of your concerns or address any issues which might result from their examination.

We also stand ready to propose to the UK Government that selected members of your team visit the ship as observers in order to become familiar with the archaeological technology and systems firsthand.

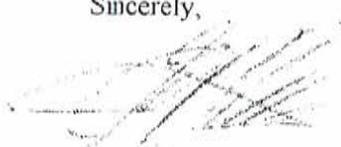
Requested action: For you to provide Odyssey with a list of questions related to the Sussex project plan that the Ministry of Culture would like addressed as soon as possible so that we have time to respond before April 15.

I believe that these are the outstanding issues that you and I decided should be addressed going forward, in order to provide the Kingdom of Spain an understanding of the Sussex project, but also to move forward in other areas of possible cooperation in the management and protection of underwater cultural heritage.

As we discussed, we understand that there are policy decisions to be made and other agencies to consult in the development of a response to these issues, which will take some time. I have consulted with our Directors, and we have decided to suspend operations on the Sussex site for 15 days in order to show our good faith and to provide you with time to present us with a plan to address these issues, as well as a timetable that you feel may be necessary to address any outstanding issues that cannot be dealt with within this time period.

Again, I appreciate your cooperation and stand ready to provide whatever assistance you might require to help in the resolution of these issues.

Sincerely,

A handwritten signature in dark ink, appearing to read "Greg Stemm", is written over a light-colored, possibly embossed or printed, signature area.

Greg Stemm
Director, Odyssey Marine Exploration Inc.

Salen a la venta auténticos Reales de a ocho procedentes del naufragio del bergantín español "El Cazador", hundido en 1784

Gran expectación entre los coleccionistas por conseguir una de estas magníficas monedas de plata con la efigie de Carlos III, acuñadas en México en 1783, que han permanecido en el fondo del mar durante más de 200 años.

M. B. C.

La iniciativa de la conocida sociedad especializada en objetos de coleccionismo, Galería del Coleccionista, de poner a disposición del público estas monedas auténticas de gran va-

lor histórico ha despertado mucha expectación, dado el creciente interés por los tesoros del pasado que yacen en el fondo del mar. Estos Reales de a ocho, acuñados durante el reinado de Carlos III, proceden del tesoro resca-

tado del barco "El Cazador", hundido frente a las costas de Luisiana en 1784, y son un fragmento de nuestra historia y todo un símbolo de la magnitud del Imperio Español a finales del XVIII.

"Desde el inicio sabíamos que se trataba de una oportunidad única y esperábamos que tuviera una gran acogida, pero los primeros resultados han superado todas nuestras expectativas", afirmaba Aurelio A. Redondo, miembro de Galería del Coleccionista. "La posibilidad de poseer la que fue la primera divisa de uso mundial es apasionante. Y no cabe duda de que tener en la mano parte del botín de un barco español hundido hace más de 200 años es muy emocionante".

El naufragio de "El Cazador". El 11 de enero de 1784 el bergantín español "El Cazador" emprendió el que sería su último viaje, desde Veracruz hasta Nueva Orleans, con un importante cargamento de Reales de a ocho de plata acuñados en las cecas de México. Estas monedas, destinadas a estabilizar el débil sistema monetario de la que entonces era colonia española, nunca llegaron a su destino, ya que "El Cazador" naufragó misteriosamente frente a las

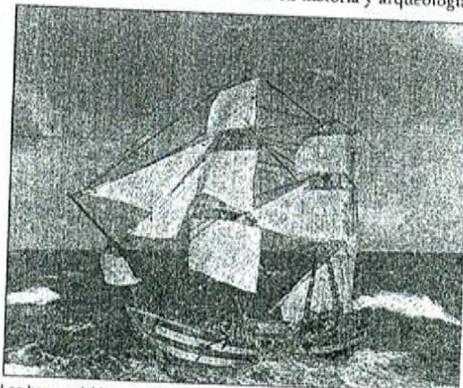
costas de Luisiana. Nunca se sabrá si la causa del naufragio fueron las tormentas o los ataques de piratas tan habituales en aquella época, sólo se sabe que "El Cazador"

"Realmente me siento como un auténtico privilegiado por poder exhibir en mi hogar una moneda auténtica española del siglo XVIII que forma parte del tesoro de un barco hundido. Siempre pensé que sería algo que sólo podría admirar en un museo" afirmaba uno de los coleccionistas.

desapareció en las profundidades del mar con su imponente cargamento de monedas a bordo, y ahí permaneció durante más de 200 años. Con este naufragio se perdió mucho más que su botín, ya que se cree que pudo ser uno de los factores que marcaron el principio del fin del dominio español sobre el territorio de Luisiana.

La primera divisa de uso mundial.

La relevancia histórica del Real de a ocho traspasa todas las fronteras. Esta moneda se considera la primera divisa de uso mundial, gracias al amplio uso que tuvo en el comercio a finales del siglo XVIII en Europa, América y el lejano Oriente. De hecho, el Real de a ocho fue moneda de curso legal en los Estados Unidos hasta el año 1857 y se conocía como el "Spanish Dollar".



Los barcos del Imperio Español surcaban los mares con importantes cargamentos de monedas procedentes de las cecas americanas, convirtiéndose así en objetivo de los piratas.



Auténticos Reales de a ocho, de plata, acuñados durante el reinado de Carlos III y hallados en el pecio "El Cazador"

En el caso del botín rescatado de "El Cazador", se trata de Reales de a ocho acuñados a finales del reinado de Carlos III, por ello en una cara aparece su efigie y en la otra el escudo de España. Y son precisamente las columnas del escudo y las bandas que las envuelven las que se dice dieron origen al símbolo del dólar "S".

Excepcional oportunidad de poseer un fragmento real de nuestra historia. Cuando el 2 de agosto de 1993 el pesquero "The Mistake" (El Error) de Jerry Murphy salió a faena y sus redes se engancharon con "algo", ningún miembro de la tripulación podía imaginar que acababan de descubrir el tesoro del pecio "El Cazador". Sin embargo, una vez rescatado el botín, especialistas en historia y arqueología

lo identificaron como el cargamento del bergantín español. A partir de ese momento se desató un gran interés entre los coleccionistas por las monedas halladas, pero han pasado varios años hasta que una parte de este botín se ha podido poner al alcance del público español gracias a la iniciativa de Galería del Coleccionista.

Sin duda, es una oportunidad excepcional, ya que no es habitual que un coleccionista privado pueda acceder a estos tesoros. De hecho, en España, de acuerdo con la ley 16/1985 del Patrimonio Histórico Español, los hallazgos de bienes tienen una regulación exhaustiva que establece la obligación de comunicar cualquier hallazgo casual y fija los criterios de distribución o compensación con el descubridor.

Por eso, es una garantía muy importante saber que en el caso de los Reales de a ocho, que Galería del Coleccionista ha puesto a la venta, se ha respetado en todo momento la legalidad vigente, ya que proceden de una importación debidamente autorizada y su comercialización cumple todos los requisitos legales pertinentes. Sin duda han sido muchas las gestiones necesarias para traer a España estos fragmentos de nuestra historia, pero ha merecido la pena al comprobar la satisfacción que muestran los coleccionistas que ya tienen en sus manos una de estas magníficas monedas.

Monedas únicas. Los Reales de a ocho pertenecientes a este lote son de plata y tienen un diámetro aproximado de 40 mm. No hay dos iguales, ya que el paso del tiempo y el mar han dejado su huella en cada uno de ellos, embelleciéndolos de manera diferente. Se entregan elegantemente presentados para su exhibición y acompañados de su Certificado de Autenticidad. Son auténticas reliquias históricas que cualquier persona se sentirá orgullosa de poseer y exhibir en su hogar.

Oportunidad Excepcional

A partir de hoy, usted puede conseguir un auténtico Real de a ocho de plata, acuñado en 1783 y procedente del pecio "El Cazador", por sólo 59€, más 4€ de gastos de envío.

Llame hoy mismo a Galería del Coleccionista
Tel.: 902 107 902
 y no se pierda esta magnífica oportunidad.

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