

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;	:	
<i>in rem</i>	:	
and	:	
	:	
The Kingdom of Spain, the Republic of Peru,	:	
Gonzalo de Aliaga (the Count of San Juan	:	
de Lurigancho) et al., Santiago de Alvear et al.,	:	
Elsa D. Whitlock, Joseph Anthony Rodriguez and	:	
Dr. Jaime Durand Palacios,	:	
	:	
Claimants.	:	
	:	
	/:	

**UNOPPOSED MOTION FOR ADMISSION PRO HAC VICE**

Plaintiff, ODYSSEY MARINE EXPLORATION, INC., by and through undersigned counsel and in accordance with Local Rule 2.02, hereby moves and applies for permission for John D. Kimball to appear Pro Hac Vice and participate in this case as co-counsel for said Plaintiff. In support of this motion, Plaintiff, ODYSSEY MARINE EXPLORATION, INC., state as follows:

1. John D. Kimball, Esquire is a member in good standing of the Bar of New York, the United States District Courts for the Southern District of New York; the Eastern District of New York; the District of Connecticut and the Southern District of Texas. He is also admitted to the United States Supreme Court, the United States Court of Claims, and the United States Courts of Appeals for the Second, Fourth, Fifth and Eleventh Circuits.

2. John D. Kimball, Esquire certifies that he has not abused the privilege of appearing Pro Hac Vice in this Court, as defined by Local Rule 2.02(a).

3. John D. Kimball, Esquire certifies that he understands that he will be governed by the Federal Rules of Civil Procedure and the Florida Rules of Professional Conduct, including Local Rule 2.04, as well as all the requirements and rules governing the professional behavior of members of the Florida Bar.

4. Allen von Spiegelfeld, Esquire is a partner with the Law Firm of Banker Lopez Gassler P.A., whose offices are located at 501 E. Kennedy Blvd., Suite 1500, Tampa, FL 33602, telephone number: (813) 221-1500, facsimile number: (813) 222-3066. My e-mail address is avonsp@bankerlopez.com. Allen von Spiegelfeld, Esquire serves in the capacity as Plaintiff, Odyssey Marine Exploration, Inc.'s litigation counsel for purposes of this litigation.

5. The Law Firm of Banker Lopez Gassler P.A. has been designated by the Plaintiff as local counsel with full consent to act on their behalf in this matter.

6. An Affidavit setting forth John D. Kimball's qualifications to appear before this Court is attached hereto as Exhibit A.

WHEREFORE, Plaintiff, Odyssey Marine Exploration, Inc., respectfully requests this Court to enter an order authorizing and granting leave to John D. Kimball, Esquire to appear Pro Hac Vice and participate in this case as co-counsel for this Plaintiff.

**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule 3.01(g), undersigned counsel certifies that he has conferred in good faith with all counsel concerning the substance of this motion and that counsel are not opposed to this motion.

Respectfully submitted,



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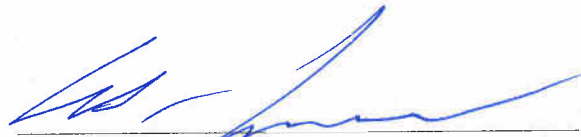
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 13<sup>th</sup>, 2009, 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*; and Timothy P. Shusta, Phelps Dunbar LLP, 100 S. Ashley Drive, Suite 1900, Tampa, FL 33602-5315; and Mark Maney, South Tower, Penzoil Place, 711 Louisiana, Suite 3100, Houston, TX 77002, *Attorneys for Claimant, Republic of Peru*; David Paul Horan, Horan, Wallace & Higgins, LLP, 608 Whitehead Street, Key West, FL 33040, *Attorney for Descendant Claimants*; John J McLaughlin, Wagner, Vaughan & McLaughlin, P.A., 601 Bayshore Blvd., Ste. 910, Tampa, FL 33606, *Attorney for Descendant Claimants*; Marlow V. White, Lewis & White, P.L.C., P.O. Box 1050, Tallahassee, FL 32302, *Attorney for Claimant, Elsa D. Whitlock*; Guy E. Burnette, Jr., 3020 N. Shannon Lakes Dr. Tallahassee, FL 32309, *Attorney for Claimant, Dr. Jaime Durand Palacios*, and by email to Joseph A. Rodriguez, *Pro Se/Unrepresented Party*, Email: [expertdoctor@aol.com](mailto:expertdoctor@aol.com).



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