

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

ODYSSEY MARINE EXPLORATION, INC.

Plaintiff,

v.

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,

and

Gonzalo de Aliaga (the Count of San Juan
de Lurigancho), et. al.,

Claimants,

and

Santiago de Alvear, et al.,

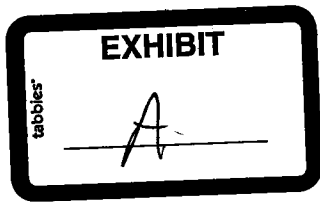
Claimants

:
:
: CIVIL ACTION
:
:
: Case No: 8:07-CV-00614-SDM-MAP

AFFIDAVIT OF JOHN D. KIMBALL, ESQUIRE

STATE OF NEW YORK:

COUNTY OF NEW YORK:



BEFORE ME, the undersigned having authority to take oath in the State of New York, personally appeared John D. Kimball, Esquire, who, after first being duly sworn under oath deposes and states as follows:

1. I submit this Affidavit in support of the application for my admission to practice before this Court Pro Hac Vice in this action on behalf of Plaintiff, Odyssey Marine Exploration, Inc.

2. I am a partner with the Law Firm of Blank Rome LLP, whose offices are located at 405 Lexington Avenue, New York, New York 10174, telephone number: (212) 885-5259, facsimile number: (917) 332-3730. My e-mail address is jkimball@blankrome.com.

3. I am a member in good standing of the Bar of New York, being admitted to that court on March 29, 1976. No discipline or grievance proceeding has been filed or is pending against me.

4. On April 27, 1976, I was admitted to practice before the United States District Court for the Southern District of New York. I still practice in said Court, and have been admitted pro hac vice in numerous other federal courts.

5. Pursuant to Local Rule 2.02 of this Court, I hereby designate Allen von Spiegelfeld, Esquire, with the Law Firm of Banker Lopez Gassler P.A., who is a member in good standing with this Court, as my designee with full consent to act on the part of the above-named Plaintiff with respect to this matter.

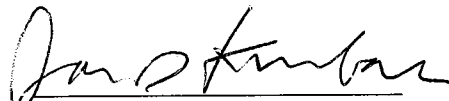
6. Pursuant to Local Rule 2.02(a) of this Court, I have not abused the privilege of admission before this or any other Court in the State of Florida. I previously was admitted

pro hac vice to a case in federal court in Miami with the caption Hudson Marine Management Services, Inc. v. Thomas Miller (Miami) Inc. Case No. 06-21315-civ-Altonaga/Turnoff. That case is now on appeal in the Eleventh Circuit.

7. Allen von Spiegelheld currently serves in the capacity as litigation counsel for the purposes of this litigation and for the above-named Plaintiff who has specifically requested that I be specially admitted, with the Court's approval, for purposes of this case, to serve as lead trial counsel.

FURTHER AFFIANT SAITH NAUGHT.

WITNESSETH:


John D. Kimball, Esquire

DISTRICT OF New York)
COUNTY OF New York)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared John Kimball, who is personally known to me, or has produced N/A as identification, and who swore before me that he executed the foregoing Affidavit and who acknowledged before me that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the state and county last aforesaid this 21 day of January, 2009.


Notary Public

LESCENE GIBBONS
Notary Public, State of New York
No. 01G16044509
Qualified in New York County
Commission Expires July 10, 20 10

My commission expires: July 10, 2010