

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

IN ADMIRALTY

ODYSSEY MARINE EXPLORATION, INC.

Plaintiff

CIVIL ACTION

vs.

Case No. 8:07-CV-00614-SDM-MAP

THE UNIDENTIFIED, SHIPWRECKED
VESSEL, its apparel, tackle
appurtenances and cargo located within
center point coordinates:
provided to the Court under seal,
in rem

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),
Agustin de Aliaga (the current Marques de Zelada de la Fuente),
Gonzalo Alvarez del Villar, Ignacio de Colmenares (the 11th Count
Of Polentinos), Alberto Emilio Thiessen, Enriqueta Pita Duthurburu, Flora Leonor Perales
Calderon de Colmenares, Felipe Voyest, Adela
Armida de Izcue Bazo, Carola Daireux Kinsky, Eleonora Daireux Kinsky,
Matilde Daireux Kinsky, Julio Vega Eurasquin, Inez Marquez Osorio,
Javier de Goyeneche (the current Count of Guaqui and Marques de Villafuente)

Claimants

And

09 MAR 23 PM 12: 34
CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

FILED

(continued)

Jose Antonio Rodriguez Menendez aka Joseph Anthony Rodriguez

Claimant

AFFIDAVIT OF CESAR MENENDEZ ALVAREZ

BEFORE ME, the undersigned having authority to take oath in the State of Florida, personally appeared, Cesar Menendez Alvarez, who, after first being duly sworn under oath deposes and states as follows:

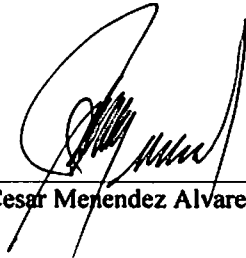
1. I submit this Affidavit in support of the non-possessory lien claim filed with this court by Jose Antonio Rodriguez Menendez aka Joseph A. Rodriguez ("Menendez") in Federal case No: 8:07-CV-00614-SDM-MAP.
2. I am a direct descendant of, Don Jose Maria Menendez Alvarez, native of parrish of Molleda, Municipality of Corvera, Principality of Asturias, Kingdom of Spain.
3. Jose Maria's son was my paternal grandfather: Don Narciso Menendez Rosales.
4. Narciso's son was my father: Circe Menendez de Leon.
5. My father, Circe Menendez de Leon, was the grand-uncle of Jose Antonio Rodriguez Menendez and brother to Jose Antonio's maternal grandfather, Jesus Maria Menendez de Leon.
6. I was born in Cuba, emigrated to the United States and became a naturalized citizen of the United States.
7. My birthdate is 11/13/1940 and I am over eighteen years of age and I have resided in Florida for more than ten years. I have a spouse and descendant children several of whom are Florida residents.
8. I am a licensed Real Estate Agent for the State of Florida. My license number is: 3094649
9. My real estate brokerage office is:
EWM Realty (Esslinger Wooten Maxwell, Inc)
Address: 550 South Dixie Highway, Coral Gables, FL 33146
Telephone number: 305-960-2400
Facsimile number: 305-271-1598
Email address: Menendez.c@ewm.com
6. I hereby declare two facts under solemn oath:
 - 1) As a young child and later as an adult, several of our Menendez family elders solemnly told me, that our family lineage of Menendez was from Aviles and that we were descendants of the

family(s) of Pedro Menendez de Aviles, Alonso de la Campa—first successful European colonizer of Florida.

- 2) To my best knowledge and belief, "The Family Tree of Jose Maria Menendez Alvarez Descendants of Florida and Cuba" is correct and accurate as it appears in filings before this court.

FURTHER AFFIANT SAITH NAUGHT.

WITNESSETH:

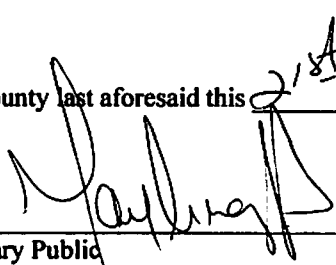

 Cesar Menendez Alvarez, Descendant of Jose Maria Menendez Alvarez

STATE OF FLORIDA:

COUNTY OF MIAMI-DADE:

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared Cesar Menendez Alvarez, who is personally known to me, or has produced Florida Driver License as identification, and who swore before me that she 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 21st day of March, 2009.


 Notary Public

My commission expires: June 30, 2010

=STAMP=

NOTARY PUBLIC-STATE OF FLORIDA
 Mayling Gutierrez
 Commission #DD710930
 Expires: JUNE 30, 2010
 BONDED THRU ATLANTIC BONDING CO., INC.