

Eurasquin, Inez Marquez Osorio, Javier de Goyeneche (*the current Count of Guaqui and Marques de Villafuente*) and Juan Mariano de Goyeneche y Silvela (*the current Marquis of Casa Davila*) (Descendant Claimants) and file this Motion for Extension of Time to File an Objection to the Report and Recommendation and in support thereof state as follows:

1. This case arises out of Plaintiff Odyssey's admiralty arrest of the Defendant Site located in the Atlantic Ocean beyond the territorial waters of any country and the determination of rights to coins and artifacts recovered therefrom.

2. On June 3, 2009, Magistrate Mark A. Pizzo filed a Report and Recommendation in the case recommending that Spain's motion to dismiss (Dkt. 131) and motion to vacate the arrest (Dkt. 132) be granted and that Odyssey be directed to return the *res* to Spain.

3. Pursuant to the Notice to Parties, and under 28 U.S.C. §636(b)(1), aggrieved parties are to file written objections within ten (10) days from the date of service of the report.

4. When Odyssey received notice of the report on June 3, 2009, its Lead Director, David Bederman, was undergoing surgery. It is expected that he will require some time to recover. Dr. Bederman, K.H. Gyr Professor of Private International Law at Emory University School of Law, was instrumental in preparing Odyssey's responsive pleadings to Spain's Motion to Dismiss, and Odyssey would like the opportunity to have the benefit of his advice and counsel in preparing its objection to the Report and Recommendation.

5. Because the Report and Recommendation is lengthy and because the Descendant Claimants represent a large group of individuals who claim ownership rights to

the property recovered by Odyssey, the Descendant Claimants would like ample time to review the report and respond accordingly.

6. Local counsel for Odyssey has contacted counsel for Spain, and he has communicated that Spain does not object to an extension of time for filing objections to the Report and Recommendation, with the understanding that Odyssey agrees to a reciprocal extension of time for Spain's response, which is agreed to by Odyssey.

WHEREFORE, Odyssey and the Descendant Claimants jointly and respectfully request that the Court extend the time to file written objections to the Report and Recommendation thirty (30) days or until July 6, 2009, and that Spain be entitled to an extension to file their written response until August 7, 2009.

Dated

6/05/09

Respectfully Submitted,



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Attorney for Descendant Claimants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June __, 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., 1801 North Highland Avenue, Tampa, FL 33602-2656, *Attorneys for Claimant, Kingdom of Spain*; 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.



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