

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

ODYSSEY MARINE EXPLORATION, INC.,

Plaintiff,

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, *in rem*

Defendant,

and

THE KINGDOM OF SPAIN,
THE REPUBLIC OF PERU, *et al.*,

Claimants.

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
OBJECTION TO REPORT AND RECOMMENDATION**

COMES NOW The Republic of Peru, by and through undersigned counsel and moves for an extension of time to file its Objection to the Report and Recommendation filed on June 3, 2009 (Doc. 209) and in support states as follows:

1. This case arises out of the admiralty arrest of the Defendant vessel, located in the Atlantic Ocean and involves determination of the rights of various parties to coins and other artifacts salvaged by the plaintiff.

2. On June 3, 2009, Magistrate Mark A. Pizzo filed a Report and Recommendation (Doc. 209) recommending that Spain's Motion to Dismiss (Doc. 131) and

Motion to Vacate Arrest (Doc. 132) be granted and that the plaintiff be directed to return the *res* to Spain.

3. Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 6.02(a) parties who desire to object to the Report and Recommendation must file written objections within ten (10) days of service of the Report and Recommendations.

4. The process of preparation of objections on behalf of the Republic of Peru includes translating the Report and Recommendations and the objections, prepared by counsel, into Spanish and review with government officials handling this matter. This process cannot be completed within a ten day time frame.

5. Plaintiff and various individual claimants have previously requested an extension of time to file objections, (Doc. 210), and the requested extension of time had been granted up to July 6, 2009 to file objections to the June 3, 2009 report and recommendation and the time to reply to any objection has been extended to August 7, 2009. (Doc. 211). Peru requests that it receive the same extension of time to file its objections and that all parties have until August 7, 2009 to reply to its objections.

RULE 3.01(g) CERTIFICATE

I HEREBY CERTIFY that I have conferred with counsel for the Kingdom of Spain, who has responded that the Kingdom of Spain has no objection to the extension of time requested. Plaintiff, Odyssey Marine, also has no objection and plaintiff and other claimants have already been granted the extension of time hereby requested by Peru.

WHEREFORE Peru respectfully requests that the Court enter an Order granting Peru an extension of time to July 6, 2009 to file objections to the June 3, 2009 report and

recommendation and that the deadline to respond to any objection filed by Peru be extended to August 7, 2009.

Respectfully Submitted,

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Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing document was electronically filed with the Clerk of Court via CM/ECF system on June 9, 2009, which will generate and transmit Notices of Electronic Filing generated by the CM/ECF system and which will be sent via e-mail to Joseph A. Rodriguez-Menendez on June 9, 2009.

/s/ Timothy P. Shusta
Timothy P. Shusta