

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.

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**THE REPUBLIC OF PERU'S MOTION FOR LEAVE TO FILE A  
REPLY IN SUPPORT OF ITS OBJECTION TO THE MAGISTRATE'S  
REPORT AND RECOMMENDATION AND RESPONSE TO THE  
STATEMENT OF INTEREST FILED BY THE UNITED STATES**

The Republic of Peru hereby moves for leave to file a Reply in support of its Objection to the Magistrate's Report and Recommendation of no more than 15 pages by Friday, October 16, 2009.

On September 18, 2009, this Court granted the Plaintiff, Odyssey Marine, leave to file a 10-page reply in support of its Objection and a separate 10 page response to the United States' Statement of Interest. (Doc. 244). The deadlines for Odyssey's filings are October 16 and 10 days from the United States' filing, which was scheduled for October 2<sup>nd</sup>.

Peru requests that it be given the same leave, although it believes that it would make more sense to file one Reply/Response rather than two, particularly given the lengthy discussion in the Kingdom of Spain's Response about the now-vacated original filing by the United States. The combined document would be shorter than two 10-page filings and would, in the opinion of counsel, better assist the Court.

This matter raises issues of historic importance to the Republic of Peru, which will also further important precedent on salvage of historic vessels and artifacts.

RULE 3.01(g) CERTIFICATE

I HEREBY CERTIFY that I have conferred with counsel for Plaintiff and counsel for the Kingdom of Spain regarding the relief requested. Plaintiff has no objection to the relief requested, but counsel for the Kingdom of Spain has responded that the Kingdom of Spain objects to Peru filing a Reply to the filing of the United States and a Reply in support of its Objections.

WHEREFORE, for these reasons, Peru respectfully requests that the Court grant Peru leave to file a 15 page Reply in support of its Objections, which Reply will also address the filing by the United States.

Dated: October 2, 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 October 2, 2009, which will generate and transmit Notices of Electronic Filing generated by the CM/ECF system and was sent via e-mail to Joseph A. Rodriguez-Menendez on October 2, 2009.

/s/ Timothy P. Shusta  
Timothy P. Shusta