

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

ODYSSEY MARINE EXPLORATION, INC.,

Plaintiff,

v.

CASE NO: 8:07-cv-614-T-23MAP

UNIDENTIFIED, SHIPWRECKED  
VESSEL,

Defendant,

KINGDOM OF SPAIN, et al.,

Claimants.

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**ORDER**

The Republic of Peru moves (Doc. 249) for leave (1) to respond to the United States' statement of interest (Doc. 247) and (2) to reply in support of the objection to the magistrate's report and recommendation (Doc. 209). Peru's motion (Doc. 249) is **GRANTED**. On or before **October 16, 2009**, Peru may submit a single document of no more than **fifteen (15) pages** responding to the statement of interest and replying in support of the objection.

The "Cargo Claimants Whitlock and Durand[s] Request for Clarification" (Doc. 245) is **GRANTED**. On or before **October 16, 2009**, the "cargo claimants" may submit a joint reply in support of their objections to the report and recommendation. The reply may not exceed **ten (10) pages**. The supplemental motion (Doc. 246) is

**DENIED AS MOOT.** Absent extraordinary circumstance, no further paper will be received in response to the report and recommendation.

The plaintiff moves (Doc. 248) “for leave to file the declaration of J. Ashley Roach, JAGC, USN (Ret.), in response to the statement of interest and brief of the United States.” Although allowing the plaintiff to respond to the United States’ statement of interest, a September 18, 2009, order (Doc. 244) strikes the evidence offered by the United States. The parties enjoyed ample opportunity to present evidence to the magistrate judge, and the United States’ appearance in this case fails to justify allowing the parties to present new evidence not considered by the magistrate judge. The September 18, 2009, order precludes the presentation of further evidence, and the plaintiff’s motion (Doc. 248) is **DENIED**.

ORDERED in Tampa, Florida, on October 6, 2009.



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STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE

xc: Magistrate Judge