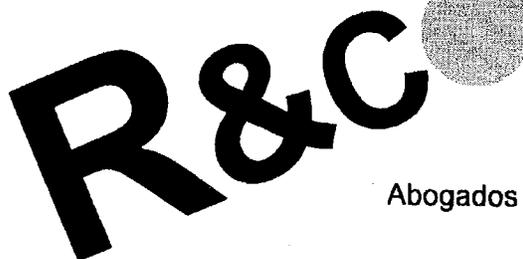
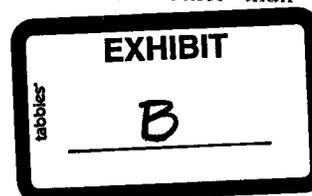


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I, Marie Rogers, Member of the Illustrious Bar Association of Madrid (Col. nº71416) know of my personal knowledge that:

1. On Tuesday 16th October 2007, and allegedly pursuant to the Order dated 1st June 2007 of the Court of First Instance and Instruction N^º3 of La Linea de la Concepcion, Cadiz, in relation to the alleged illegal extraction of objects of great value from a wreck situated in Spanish jurisdictional waters allegedly shipped through the airport of Gibraltar to the US, the Spanish Guardia Civil (a Spanish Federal Police Agency under the Spanish Ministry of the Interior reporting directly to the Judge of Court of First Instance and Instruction N^º 3 of La Linea de la Concepcion, Cadiz) illegally forced the vessel RV ODYSSEY EXPLORER from her course in international waters and directed her into the Spanish Port of Algeciras where the vessel was boarded by the Guardia Civil and searched.
2. On Thursday 18th October and during the course of the search of the vessel, the Guardia Civil proceeded to stick white plastic tape marked with the words "Guardia Civil" on various parts of the Remotely Operated Vehicle ZEUS and the Judicial Secretary button-sealed said tape on the Remotely Operated Vehicle ZEUS. The Master and I were given verbal instructions by the Guardia Civil that the Remotely Operated Vehicle ZEUS could not be "touched" or the tape removed under any circumstances, although it was clear that the tape would not be weather resistant, and would likely come off the vehicle once the ship was at sea due to the wind and waves that would impact the Remotely Operated Vehicle ZEUS on the deck of the ship.
3. At approximately 1300h the same day, the Master was told that the search of the RV ODYSSEY EXPLORER was complete and the vessel would not be detained but that the Remotely Operated Vehicle ZEUS was to remain sealed and not to be touched or removed by the crew or anyone else. The Master was verbally warned by the Guardia Civil that if the Remotely Operated Vehicle ZEUS was touched or any of the seals broken, that this would constitute a criminal offence under Spanish law. The Master signed the record (*Acta*) of the search prepared by the Judicial Secretary but was not provided with any documentation relating to the sealing of the Remotely Operated Vehicle ZEUS or any further instructions in this respect.
4. On Friday 19th October, the Master attended before the Judge JOSE DAMIAN IRANZO CEREZO to voluntarily provide a statement in relation to the alleged illegal extraction referred to above. I was present for this interview. Once the Master had given his statement, I asked the Judge whether the proceedings continued to be secret and the Judge answered in the affirmative. I then asked the Judge to issue the necessary order to release the RV ODYSSEY EXPLORER from arrest. The Judge responded by asking me what I had been told the day before by the Guardia Civil in relation to the sealing of the Remotely Operated Vehicle ZEUS and I responded that I was told by the Guardia Civil that the Remotely Operated Vehicle ZEUS could not be touched and that this message had been relayed to the Master. I asked the Judge to explain the situation in relation to the Remotely Operated Vehicle ZEUS. The Judge made no comment other than to state that



ODYSSEY MARINE EXPLORATION, INC. should apply in writing to the Court with a request that the Public Prosecutor clarify the situation in relation to the Remotely Operated Vehicle ZEUS. The Judge then went on to explain that no arrest order had been issued in relation to the RV ODYSSEY EXPLORER and that the vessel was free to leave the Port of Algeciras. Whilst this conversation with the Judge occurred in the presence of other Court officials and the Master, no written record was made of the conversation by the Court.

5. On Saturday 20th October the ODYSSEY EXPLORER sailed for England.

A handwritten signature in black ink, appearing to read 'Marie Rogers', with a large, sweeping flourish at the end.

Marie Rogers

Madrid, 22nd October 2007