

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ODYSSEY MARINE EXPLORATIONS, INC.,

Plaintiff,

v.

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

THE UNIDENTIFIED, SHIPWRECKED
VESSEL, if any, its apparel, tackle,
appurtenances and cargo located
within a vie mile radius of the center
point coordinates provided to the Court
under seal,

Defendant;
in rem

and

THE KINGDOM OF SPAIN,

Claimant

_____ /

**ORDER SCHEDULING PRELIMINARY PRETRIAL CONFERENCE
AND DIRECTING ANSWERS TO STANDARD INTERROGATORIES**

Pursuant to Fed.R.Civ.P. 16 and Local Rule 3.05, it is **ORDERED** that:

(a) A preliminary pretrial and scheduling conference will be held before the Honorable Mark A. Pizzo at 10:00 a.m., on November 26, 2007, in Courtroom 11B, United States Courthouse, 801 N. Florida Avenue, Tampa, Florida.

(b) This conference shall be attended by all counsel of record at the time of the conference and any unrepresented parties. When counsel of record appears on behalf of a particular party, such counsel shall be either the trial counsel or the counsel

empowered to direct the course of litigation and to enter into settlement on behalf of the represented party.

(c) At the preliminary pretrial and scheduling conference, all counsel of record and any unrepresented party shall be prepared to discuss with the Court the following matters:

- (1) the basis of federal jurisdiction relied upon by the plaintiff and any relevant jurisdictional problems perceived by the defendant, including a description of any motions relating to jurisdictional issues to be filed by the defendant;
- (2) the parties' Case Management Report; and
- (3) subjects enumerated in Fed.R.Civ.P. 16.

(d) Not later than fifteen (15) days prior to the conference, each plaintiff or his attorney shall answer in writing the following standard interrogatories, and shall serve the answers upon every other party, and **file them with the Clerk of Court**:

PLAINTIFF'S INTERROGATORY #1

Describe the basis of federal jurisdiction -- including all laws, acts having the force and effect of law, codes, regulations and legal principles, standards and customs or usages -- which the plaintiff contends are applicable to the instant action.

PLAINTIFF'S INTERROGATORY #2

Describe in detail the injuries or damages incurred by the plaintiff and the specific acts or omissions by the defendant which have allegedly caused the injuries or damages.

PLAINTIFF'S INTERROGATORY #3

State the full name, address and telephone number of all persons or legal entities who have a financial interest in this action, and state the basis and extent of the interest.

PLAINTIFF'S INTERROGATORY #4

Describe the nature of any dispositive motion(s) which the plaintiff anticipates may be filed in this action.

(e) Not later than five (5) days prior to the conference, each defendant or his attorney shall answer in writing the following standard interrogatories, and shall serve the answers upon every other party, and **file them with the Clerk of Court:**

DEFENDANT'S INTERROGATORY #1

State whether the defendant is properly identified and, if not, give his or her proper identification. State whether you will waive service or accept service on an amended summons and complaint reflecting the information furnished by you in this answer.

DEFENDANT'S INTERROGATORY #2

Describe in detail all laws, acts having the force and effect of law, codes, regulations and legal principles, standards, and customs or usages which you contend are applicable to the instant action.

DEFENDANT'S INTERROGATORY #3

Furnish a detailed factual basis for the defenses you assert in your answer.

DEFENDANT'S INTERROGATORY #4

State to the best of your knowledge whether all proper parties have been joined. If you contend that some other person or legal entity is, in whole or in part, liable to the plaintiff or defendant in this matter, state that party's full name, address and telephone number, and describe in detail the basis of the alleged liability.

DEFENDANT'S INTERROGATORY #5

Describe the nature of all dispositive motions which are anticipated to be filed in this action.

IT IS FURTHER ORDERED that the plaintiff (or the defendant in removal cases) shall serve a copy of this Order upon all parties and shall, within fifteen (15) days from the date of this Order, file a certificate of service which certifies that all named parties have been served a copy of this Order.

ORDERED in Tampa, Florida, on November 2, 2007.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE

cc: Magistrate Judge Mark A. Pizzo