

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION  
IN ADMIRALTY**

ODYSSEY MARINE EXPLORATION, INC.

Plaintiff,

CIVIL ACTION

vs.

Case No. 8:07-CV-00616-SDM-MAP

THE UNIDENTIFIED, SHIPWRECKED  
VESSEL, its apparel, tackle,  
appurtenances and cargo located within  
center point coordinates (to be provided to the  
Court under seal),

Defendant;  
in rem

and

The Kingdom of Spain,

Claimant.

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**Claimant Kingdom of Spain’s Unopposed Motion for Leave to File a Reply  
to Plaintiff’s Opposition to Claimant’s Motion to Dismiss**

Claimant Kingdom of Spain (“Spain”) hereby moves, pursuant to Local Rules 3.01(c) and (d), for leave to file a reply to Plaintiff Odyssey Marine Exploration, Inc.’s (“Odyssey”) Opposition to Claimant Kingdom of Spain’s Motion to Dismiss (Dkt. 58). Spain’s reply would not exceed five (5) pages in length and would be filed promptly, no later than seven (7) business days after this motion is granted. Spain certifies that its counsel conferred with Odyssey’s counsel pursuant to Local Rule 3.01(g) and was advised that this motion is not opposed.

Odyssey’s Opposition to Claimant Kingdom of Spain’s Motion to Dismiss (“Opposition”) raises new matters to which Spain wishes to respond. For example, Odyssey’s

Opposition contends, among other things, that Spain lacks standing to lay claim to the res in this case, that Spain's motion to dismiss is procedurally defective, that Spain has filed a general appearance in this case, and that specific exceptions to sovereign immunity support subject matter jurisdiction over in personam claims against Spain. Spain's reply would briefly address these new contentions. Additionally, in its Opposition, Odyssey characterizes Spain's arguments and past filings in ways to which Spain wishes to respond briefly. For these reasons, Spain respectfully requests leave to reply to Odyssey's Opposition.

Respectfully submitted,

Dated: October 25, 2007

s/ James A. Goold  
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Certificate of Service

I hereby certify that I caused the foregoing Claimant Kingdom of Spain's Unopposed Motion for Leave to File a Reply to Plaintiff's Opposition to Claimant's Motion to Dismiss to be served on Plaintiff's counsel, Allen von Spiegel and Eric C. Thiel, via the Court's CM/ECF system on October 25, 2007.

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