

FILED

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

08 JUN 19 PM 4: 34

CLERK U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA, FLORIDA

ODYSSEY MARINE EXPLORATION, INC.

Plaintiff,

v.

THE UNIDENTIFIED, WRECKED AND  
(FOR FINDERS-RIGHT PURPOSES)  
ABANDONED SAILING  
VESSEL, if any, its apparel, tackle,  
appurtenances and cargo located within  
center point coordinates: to be provided  
to the Court under seal at the Court's request

*in rem*

Defendant(s).

CIVIL ACTION

Case No.: 8:08-cv-01044-SDM-TBM

**ORDER APPOINTING SUBSTITUTE CUSTODIAN**

AND NOW, this 19<sup>th</sup> day of June, 2008, upon consideration of Plaintiff Odyssey Marine Exploration, Inc.'s ("Odyssey") Motion to be Appointed Substitute Custodian of any artifacts recovered from the Defendant Site, lying in less than 200 meters depth, located within the English Channel beyond the territorial waters or contiguous zone of any sovereign nation, it is hereby ORDERED as follows:

1. The court finds that: (a) Odyssey is duly qualified to serve as the finder-in-possession and Substitute Custodian of the artifacts recovered from the Defendant Site; (b) Odyssey has agreed to assume the responsibility of safekeeping the salvaged artifacts; and (c) Odyssey has agreed to act as Substitute Custodian until further order of the Court.

2. The United States Marshal for the Middle District of Florida be, and he hereby is, authorized and directed to surrender the possession thereof to the Substitute Custodian named herein, Odyssey Marine Exploration, Inc., and that upon such surrender, the Marshal shall be discharged from the duties and responsibilities for the safekeeping of artifacts from the Defendant Site and held harmless by any party for any and all claims arising whatsoever out of said substitute possession and safekeeping.

3. Odyssey is appointed the finder-in-possession and Substitute Custodian of the Defendant Site and any artifacts recovered therefrom. Odyssey shall retain the same in custody for possession and safekeeping until further order of this Court. All Marshal's costs, if any, shall be paid prior to the release of said property and that the Substitute Custodian receipt for the property and the Marshal attest to the date and time of release on a certified copy thereof.

SO ORDERED.

  
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U.S. MAGISTRATE JUDGE