

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

Odyssey Marine Exploration, Inc.,

Plaintiff,

v.

Case No. 8:08-cv-1045-T-26MAP

The Unidentified, Wrecked and Abandoned  
Sailing Vessel,

Defendant.

\_\_\_\_\_ /

RELATED CASE ORDER,  
INTERESTED PERSONS ORDER,  
ORDER REQUIRING ELECTRONIC FILING,  
AND NOTICE OF TRACK DESIGNATION

**RELATED CASE ORDER:** No later than **June 8, 2008**, counsel and any *pro se* party shall comply with Local Rule 1.04(d), and shall file and serve a certification as to whether the instant action should be designated as a similar or successive case pursuant to Local Rule 1.04(a) or (b). The parties shall utilize the attached form NOTICE OF PENDENCY OF OTHER ACTIONS.

**INTERESTED PERSONS ORDER:** This Court makes an active effort to screen every case in order to identify parties and interested corporations in which any assigned judge may be a shareholder, as well as for other matters that might require consideration of recusal. Accordingly, no later than **June 8, 2008**, each party, *pro se* party, governmental party, intervenor, non-party movant, and Rule 69 garnishee **shall file and serve** a CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT utilizing the attached form.

**No** party may seek discovery from any source before filing and serving a CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT. A motion, memorandum,

response, or other paper — including emergency motion — may be denied or stricken unless the filing party has previously filed and served its CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT.

Each party has a continuing obligation to file and serve an amended CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT within eleven days of 1) discovering any ground for amendment, including notice of case reassignment to a different judicial officer; or 2) discovering any ground for recusal or disqualification of a judicial officer. A party should not routinely list an assigned district judge or magistrate judge as an “interested person” absent some non-judicial interest.

In order to assist the Court in determining when a conflict of interest may exist, particularly when ruling on matters formally assigned to another judge, each party shall use the full caption of the case — including the names of all parties and intervenors — on all motions, memoranda, papers, and proposed orders submitted to the Clerk. *See* Fed.R.Civ.P. 10(a); Local Rule 1.05(b) (“*et al.*” discouraged).

**NOTICE OF TRACK TWO DESIGNATION** In accordance with Local Rule 3.05, this action is designated a **Track Two** case. All parties must comply with the requirements established in Local Rule 3.05 for Track Two cases. Counsel and any unrepresented party shall meet within sixty days after service of the complaint upon any defendant for the purpose of preparing and filing a Case Management Report. The parties shall utilize the Case Management Report form located at the Court's website [www.flmd.uscourts.gov](http://www.flmd.uscourts.gov) under 'Judicial Information' and under assigned Judge Richard A. Lazzara, United States District Judge. Unless otherwise ordered by the Court, a party may not seek discovery from any source before the meeting. Fed. R. Civ. P. 26 (d); Local Rule 3.05(c)(2)(B).

**ORDER REQUIRING ELECTRONIC FILING:** All attorneys appearing before this court are **required** to register for CM/ECF docketing **within 15 days** of their entry of appearance in any action pending before this Court. Counsel are directed to the website located at [www.flmd.uscourts.gov](http://www.flmd.uscourts.gov) under “CM/ECF” where they **are to request their password** from the Court. (**NOTE: Pro Se parties are exempt from the electronic filing requirement.**)

**DONE and ORDERED in Tampa, Florida on May 30, 2008.**

RICHARD A. LAZZARA

Richard A. Lazzara [26]  
United States District Judge

Attachments: Notice of Pendency of Other Actions [mandatory form]  
Certificate of Interested Persons and Corporate Disclosure Statement  
Magistrate Judge Consent / Letter to Counsel  
Magistrate Judge Consent Form / Entire Case  
Magistrate Judge Consent / Specified Motions

Web Case Management Form: [www.flmd.uscourts.gov](http://www.flmd.uscourts.gov) [mandatory form]

Copies to: All Counsel of Record  
All *Pro Se* Parties

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**The Unidentified, Wrecked and Abandoned  
Sailing Vessel,**

**Defendant.**

\_\_\_\_\_ /

**NOTICE OF PENDENCY OF OTHER ACTIONS**

**In accordance with Local Rule 1.04(c), I certify that the instant action:**

\_\_\_\_\_ **IS** related to pending or closed civil or criminal case(s) previously filed in this Court, or any other Federal or State court, or administrative agency as indicated below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ **IS NOT** related to any pending or closed civil or criminal case filed with this Court, or any other Federal or State court, or administrative agency.

**I further certify that I will serve a copy of this NOTICE OF PENDENCY OF OTHER ACTIONS upon each party no later than eleven days after appearance of the party.**

**Dated:**

\_\_\_\_\_  
**Counsel of Record or *Pro Se* Party**  
**[Address and Telephone]**

**CERTIFICATE OF INTERESTED PERSONS**  
**AND CORPORATE DISCLOSURE STATEMENT**

I hereby disclose the following pursuant to this Court's interested persons order:

1.) the name of each person, attorney, association of persons, firm, law firm, partnership, and corporation that has or may have an interest in the outcome of this action — including subsidiaries, conglomerates, affiliates, parent corporations, publicly-traded companies that own 10% or more of a party's stock, and all other identifiable legal entities related to *any* party in the case:

[insert list]

2.) the name of every other entity whose publicly-traded stock, equity, or debt may be substantially affected by the outcome of the proceedings:

[insert list]

3.) the name of every other entity which is likely to be an active participant in the proceedings, including the debtor and members of the creditors' committee (or twenty largest unsecured creditors) in bankruptcy cases:

[insert list]

4.) the name of each victim (individual or corporate) of civil and criminal conduct alleged to be wrongful, including every person who may be entitled to restitution:

[insert list]

I hereby certify that, except as disclosed above, I am unaware of any actual or potential conflict of interest involving the district judge and magistrate judge assigned to this case, and will immediately notify the Court in writing on learning of any such conflict.

[Date]

\_\_\_\_\_  
[Counsel of Record or *Pro Se* Party]

[Address and Telephone]

[Certificate of Service]



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

Dear Counsel:

Enclosed with this letter is a communication from the Clerk of this Court affording you the opportunity, with the approval of the U.S. District Judge, to consent to the reference of any part or all of the proceedings in this case to a U.S. Magistrate Judge, including reference for final disposition.

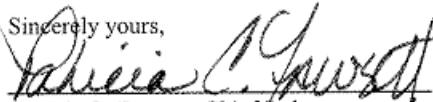
Careful consideration should be given to this option.

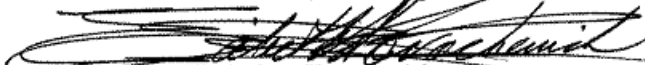
To assist the federal courts in coping with dramatically increased caseloads, Congress authorized the reference to a U.S. Magistrate Judge of any part or all of the proceedings in a civil case, both jury and non-jury, upon consent of all parties (28 U.S.C. § 636(c)). All of the U.S. District Judges in this District refer cases under this provision to our able and experienced U.S. Magistrate Judges who are almost always able to schedule early and firm trial dates in accordance with the needs of the parties.


Whether to consent to a reference to a U.S. Magistrate Judge is entirely up to you and your client. This case has not been specifically selected for this program; the Clerk sends out this notice in every civil case. If a party declines to consent to a reference, that fact is known only to the Clerk and not to any of the District or Magistrate Judges.


This program has proved to be of great benefit to counsel, client, and the Court.

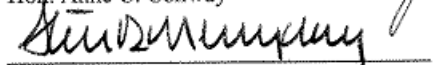
Sincerely yours,

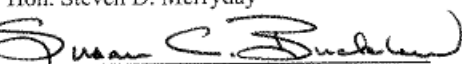
  
Patricia C. Fawcett, Chief Judge


  
Hon. Elizabeth A. Kovachevich

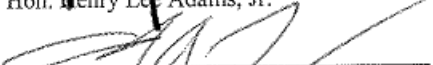
  
Hon. Harvey E. Schlesinger

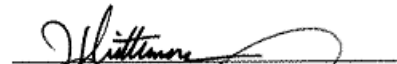
  
Hon. Anne C. Conway


  
Hon. Steven D. Merryday

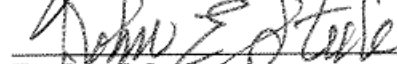
  
Hon. Susan C. Bucklew

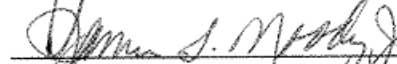
  
Hon. Henry Lee Adams, Jr.

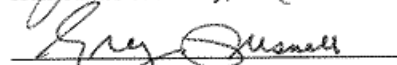
  
Hon. Richard A. Lazzara


  
Hon. James D. Whittemore

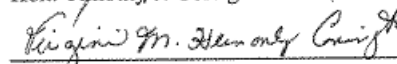
  
Hon. John Antoon, II

  
Hon. John E. Steele

  
Hon. James S. Moody, Jr.

  
Hon. Gregory A. Presnell

  
Hon. Timothy J. Corrigan

  
Hon. Virginia Covington

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**Defendant.**

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**NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE TO EXERCISE JURISDICTION**

In accordance with the provisions of 28 U.S.C. 636(c) and Fed. R. Civ. P. 73, you are hereby notified that a United States magistrate judge of this district court is available to conduct any or all proceedings in this case, including a jury or nonjury trial, and to order the entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent.

You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's jurisdiction from being exercised by a magistrate judge. If any party withholds consent, the identity of the parties consenting or withholding consent will not be communicated to any magistrate judge or to the district judge to whom the case has been assigned.

An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States court of appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

**CONSENT TO EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of 28 U.S.C. 636(c), and Fed.R.Civ.P. 73, the parties in this case hereby voluntarily consent to have a United States magistrate judge conduct any and all further proceedings in the case, including, the trial, order the entry of a final judgment, and conduct all post-judgment proceedings.

| <u>Signatures</u> | <u>Party Represented</u> | <u>Date</u> |
|-------------------|--------------------------|-------------|
| _____             | _____                    | _____       |
| _____             | _____                    | _____       |
| _____             | _____                    | _____       |
| _____             | _____                    | _____       |

**ORDER OF REFERENCE**

**IT IS ORDERED** that this case be referred to the **UNITED STATES MAGISTRATE JUDGE** for all further proceedings and the entry of judgment in accordance with 28 U.S.C. 636(c), Fed. R. Civ. P. 73 and the foregoing consent of the parties.

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**UNITED STATES DISTRICT JUDGE**

**NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT ONLY IF ALL PARTIES HAVE CONSENTED ON THIS FORM TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE.**

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\_\_\_\_\_ /

**CONSENT TO EXERCISE JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE  
OVER DISPOSITIVE MOTIONS DESCRIBED UNDER 28 U.S.C. § 636(b)(1)(B)**

**CONSENT TO EXERCISE OF JURISDICTION**

In accordance with the provisions of 28 U.S.C. § 636(c) and Fed.R.Civ.P. 73, the parties in this case consent to have a United States Magistrate Judge conduct any and all proceedings and enter a final order as to each motion identified below.

MOTION(S)

\_\_\_\_\_  
\_\_\_\_\_

Party Represented

Signatures

Date

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ORDER OF REFERENCE**

**IT IS ORDERED** that the above motions(s) be referred to the United States Magistrate Judge assigned to this case to conduct all proceedings and enter a final order on such motions(s) in accordance with 28 U.S.C. § 636(c) and Fed.R.Civ.P. 73.

\_\_\_\_\_  
Date

\_\_\_\_\_  
United States District Judge

**NOTE: RETURN THIS FORM TO THE CLERK OF COURT ONLY IF ALL PARTIES HAVE CONSENTED ON THIS FORM TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE.**