

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

IN ADMIRALTY

IN THE MATTER OF THE COMPLAINT
OF THOMAS DANN, INC., as Owner, and
DANN OCEAN TOWING, INC., as Owner
pro hac vice, of a 116' Tugboat motor vessel
named THOMAS DANN with Official
Number 638836, for Exoneration from
Or Limitation of Liability,

Case No. 8:21-cv-1350-TPB-CPT

Petitioners.

MONITION

NOTICE is hereby given that Petitioners Thomas Dann, Inc. and Dann Ocean Towing, Inc., as the owners of a 116' Tugboat motor vessel named Thomas Dann (the Vessel), have filed a complaint pursuant to 46 U.S.C. §§ 30501–30512 and Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure seeking (1) exoneration from or limitation of their liability concerning any and all personal injury, property damage, destruction, or other losses occasioned by, or arising out of, the alleged incident occurring on or about December 4, 2020, as more fully described in the aforesaid complaint, for the reasons and causes in said complaint; and (2) praying that a Monition and Injunction for those reasons be issued, and that all persons or corporations claiming any and all personal injury, property damage,

destruction, or other losses caused by, or resulting from, the alleged incident set forth in the complaint, be thereby cited to appear and file their respective claims with the Clerk of Court, and to make due process thereof and citing them to file their answers to the complaint and all the proceedings be had, if it shall appear that the Petitioners are not liable for any personal injury, property damage, destruction, or other losses, it may be so finally decreed by the Court;

WHEREFORE, the Petitioners have filed an *Ad Interim* Stipulation for Value, representing the value of the Petitioners' interest in the Vessel, that within thirty (30) days after the entry of an Order herein appraising the value of the Petitioners' interest in the Vessel, will pay the amount so fixed into the Court registry or will file with the Court a Stipulation for Value in the usual form and with approved security;

WHEREFORE, the Court has ordered that said *Ad Interim* Stipulation for Value is approved and shall stand as security for all claims against the Petitioners and the Vessel in this proceeding and whereas the Court has ordered that the Monition issues out of, and under the seal of, the Court against all persons claiming damages for any loss, harm, or injury arising out of or occurring on or about December 4, 2020, as more fully described in the aforesaid complaint, citing them to appear before and to file their claims with the Clerk of Court in writing, and to serve copies thereof upon the Petitioners' attorney and direct that any such persons, or their personal representatives, claiming damages as aforesaid who shall desire to contest the Petitioners, shall answer said complaint; and

WHEREFORE, the Petitioners and the Vessel seek protection against suit outside of this limitation proceeding as permitted by 46 U.S.C. §§ 30501–30512, and Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims, and the Court having granted an injunction against such suits.

ACCORDINGLY, all persons or corporations having claims arising out of the events mentioned above and as more particularly described in the complaint must present them as provided in Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, to the Clerk of Court, United States District Court for the Middle District of Florida, located at 801 North Florida Avenue, Tampa, FL 33602, and must serve on or mail copies thereof to the Petitioners' attorney, Eric C. Thiel of Banker Lopez Gassler P.A., 501 E. Kennedy Boulevard, Suite 1700, Tampa, Florida 33602, **on or before September 1, 2021**, or be defaulted. Personal attendance is not required.

Any claimant desiring to contest the allegations in the complaint shall file and serve on the Petitioners' counsel an answer to the complaint on or before the aforesaid date, unless the claim includes an answer so designated, or be defaulted.

Dated this _____ day of _____ 2021.

United States District Court
Middle District Court of Florida
By Deputy Clerk

Copies to:
Counsel of Record