

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

IN THE MATTER OF THE COMPLAINT OF AMERICAN BOAT COMPANY LLC AND STRAIT MARITIME GROUP LLC, AS OWNERS, AND WESTERN RIVERS BOAT MANAGEMENT, INC., AS OPERATOR AND OWNER <i>PRO HAC VICE</i> , OF THE M/V DANNY ETHERIDGE, FOR EXONERATION FROM OR LIMITATION OF LIABILITY	CIVIL ACTION NO. 16-506-SDD-RLB
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**ORDER FOR *AD INTERIM* STIPULATION AND
DIRECTING ISSUANCE OF NOTICE AND RESTRAINING SUITS**

Limitation plaintiffs, American Boat Company LLC and Strait Maritime Group LLC, as owners of the M/V DANNY EHTERIDGE, and Western Rivers Boat Management, Inc., as operator, owner, and/or owner *pro hac vice* of the M/V DANNY EHTERIDGE (collectively referred to as “Petitioners”), having on August 1, 2016, filed a Complaint in this Court seeking exoneration from, or alternatively, limitation of liability with respect to a maritime casualty that occurred on March 18, 2016, when Patrick Titus was killed while serving as a member of the crew of the M/V DANNY EHTERIDGE while that vessel was located at a facility located on the Mississippi River at or near Mile Marker 235 near Port Allen, Louisiana (the “Incident”). In their Complaint, Petitioners stated the facts and circumstances upon which exoneration from and limitation of liability are claimed, have shown the value of their interests in the M/V DANNY EHTERIDGE after the incident, and have prayed for leave to file a stipulation for the amount of this value pending any appraisal and to give a Letter of Undertaking as security and to obtain an Order Directing Issuance of Notice and to obtain a Restraining Order.

From the pleadings which have been duly filed, it appears that the post-accident value of American Boat Company LLC, Strait Maritime Group LLC and Western Rivers' interests in the M/V DANNY EHTERIDGE on March 18, 2016 did not exceed \$2,500,000.00, and that American Boat Company LLC, Strait Maritime Group LLC and Western Rivers Boat Management, Inc. have filed, as security herein, a Letter of Undertaking from Hanover Insurance Company, Starr Indemnity and Liability Company and XL Specialty Insurance Company, as lead excess underwriters, in the total sum of \$2,500,000.00, which is equal to the sum of American Boat Company LLC, Strait Maritime Group LLC and Western Rivers' interests in the M/V DANNY EHTERIDGE (with interest thereon at the legal rate of six percent (6%) per annum from the date thereon);

IT IS HEREBY ORDERED that such Letter of Undertaking be accepted as an *ad interim* Stipulation and adequate security for this limitation of liability proceeding and that it is approved as to form, quantum and surety without prejudice to the due appraisal of American Boat Company LLC, Strait Maritime Group LLC and Western Rivers Boat Management, Inc.'s interests under further orders of this Court, if such is deemed necessary, and any party has the right to apply to have the amount of the said stipulation increased or decreased as the Court may direct.

IT IS FURTHER ORDERED that a Notice issue out of and under the seal of this Court against all persons claiming damage for any and all losses, injuries or death and destruction arising out of or occurring by reason of the Incident, citing them to appear before this Court and file their claims with the Clerk of the Court in writing, under oath and directing any person, firm or corporation or other entity, private or public, claiming damages as aforesaid, who shall desire to contest the Complaint of American Boat Company LLC, Strait Maritime Group LLC and


Western Rivers Boat Management, Inc., shall answer said Complaint and serve copies of their Answer thereof on the attorneys for American Boat Company LLC, Strait Maritime Group LLC and Western Rivers Boat Management, Inc., on or before the 4th day of November, 2016.

IT IS FURTHER ORDERED that public notice shall be given by publication thereof in *The Advocate*, published in the City of Baton Rouge, State of Louisiana, as provided by Rule F(4) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the United States Supreme Court, and American Boat Company LLC, Strait Maritime Group LLC and Western Rivers Boat Management, Inc. shall mail also, not later than one (1) day after the second publication, a copy of said public notice to every person, firm or corporation known to have made a claim against the M/V DANNY EHTERIDGE and/or American Boat Company LLC, Strait Maritime Group LLC and Western Rivers Boat Management, Inc. arising out of said Incident.

IT IS FURTHER ORDERED that a Restraining Order be issued from this Court restraining and enjoining all claims and proceedings against the M/V DANNY EHTERIDGE, American Boat Company LLC, Strait Maritime Group LLC and Western Rivers Boat Management, Inc. in any Court whatsoever, except in this proceeding in respect to any matter arising out of or in conjunction with the aforesaid maritime casualty of March 18, 2016, described in American Boat Company LLC, Strait Maritime Group LLC and Western Rivers Boat Management, Inc.'s Complaint, and that any pending actions against said vessel, American Boat Company LLC, Strait Maritime Group LLC and Western Rivers shall cease and that the Court enjoins the further prosecution of any action or proceeding against the M/V DANNY EHTERIDGE, American Boat Company LLC, Strait Maritime Group LLC and Western Rivers

Boat Management, Inc. with reference to any claim arising out of or connected with the Incident until the termination of this proceeding.

Baton Rouge, Louisiana the 21 day of September, 2016.



SHELLY. D. DICK, DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA