

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**THE COMPLAINT OF HANCOCK  
POINT VILLAGE IMPROVEMENT  
SOCIETY, FOR EXONERATION  
FROM, OR LIMITATION OF  
LIABILITY**

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**CIVIL ACTION  
NO.: 1:10-cv-418-GZS**

**ORDER DIRECTING ISSUANCE OF NOTICE  
AND RESTRAINING PROSECUTION OF CLAIMS**

A Complaint having been filed herein on the 8th day of October, 2010 by Petitioner, Hancock Point Village Improvement Society, claiming exoneration from and/or limitation of liability as provided for in Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims and in 46 U.S.C. §§ 30501-30512, for all losses, damages, injuries, or destruction occasioned or incurred on or in connection with the injury to C.L. while aboard the 1985, MAKO 17 foot, outboard motor vessel CELERITARE, which began on July 21, 2010 at Hancock Point, Maine, as is more fully described in the petition.

NOW, THEREFORE, on Petitioner's Motion (Docket # 7) of Welte & Welte, P.A, attorneys for Petitioners:

IT IS ORDERED that Petitioner's Motion for Order Directing Issuance of Notice and Restraining Prosecution of Claims (Docket # 7) is GRANTED.

IT IS FURTHER ORDERED that the cash bond for costs in the sum of \$250.00 filed by the Petitioners be accepted and approved; and

IT IS FURTHER ORDERED that the Ad Interim Stipulation (Docket # 4) for the value of Petitioners' interest in the CELERITARE and its pending freight, in the principal amount of EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$8,500.00 U.S. dollars), with interest thereon at the rate of six percent (6%) per annum from date hereof by Petitioner, as principal,

INTERNATIONAL FIDELITY INSURANCE COMPANY, as surety, and filed herein by the Petitioners, be accepted as an Ad Interim Stipulation for the purpose of a limitation of liability proceeding and that it be approved as to form, quantum and surety; and

IT IS FURTHER ORDERED that the Petitioner and any claimant who may properly become a party hereto may contest the amount or value of Petitioner's interest in the CELERITARE, and its pending freight, if any, as fixed in said Ad Interim Stipulation, and may move the Court for due appraisal of said interest and may apply to have the amount of said stipulation increased or diminished, as the case may be, on the determination by the Court of the amount or value of said interest; and

IT IS FURTHER ORDERED that a notice issue out of and under the seal of this Court advising and admonishing all persons asserting claims for any and all losses, damages, injuries or destruction allegedly resulting from or incident to the occurrences and happenings recited in the Complaint, to file their respective claims with the Clerk, United States District Court, 202 Harlow Street, Bangor, Maine 04401, on or before the 15<sup>th</sup> day of November, 2010, and serve on Petitioner's attorney, William H. Welte, WELTE & WELTE, P.A., 13 Wood Street, Camden, Maine 04843, a copy thereof, and require any claimant who desires to contest Petitioner's right to exoneration from and/or right to limitation of liability to file and serve an answer to the Complaint, unless his claim has included an answer;

IT IS FURTHER ORDERED that publication of the aforesaid notice in the form required by Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims contained in the Federal Rules of Civil Procedure be published in a newspaper of general circulation in the City of Bangor, namely The Bangor Daily News, once a week for four successive weeks prior to the date fixed for the filing of claims;

IT IS FURTHER ORDERED that the commencement or further prosecution of any actions or proceedings against the Petitioner, its sureties, underwriters and insurers, including the CELERITARE, or any of their property with respect to any claims for which Petitioner seeks limitation of liability herein, including any claim arising out of or incident to or connected with any loss, damage, injury or destruction, resulting from the loss on or in connection with the injury to C.L. while aboard the 1985, MAKO 17 foot, outboard motor vessel CELERITARE, which began on July 21, 2010 at Hancock Point, Maine, as is more fully described in the petition, be and the same is hereby stayed and restrained until the hearing and determination of this proceeding.

IT IS FURTHER ORDERED that the Petitioner, no later than the second day of publication of the Notice ordered herein, shall mail a copy of the notice to every person known to have made a claim against the CELERITARE or against the Petitioner arising out of the incident described in the Complaint.

SO ORDERED.

/s/ George Z. Singal  
United States District Judge

Dated this 13th day of October, 2010.