

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

THE FIRST, N.A., successor in interest to)
The First National Bank of Damariscotta,)
a banking institution organized under the)
laws of the United States with a place of)
business in Damariscotta, County of Lincoln,)
State of Maine,)

Plaintiff,)

v.)

F/V DAUNTLESS, (O.N. 942105), her)
engines, machinery, equipment, masts, etc.,)
in rem;)

and)

CALEB KNAPP of Boothbay Harbor,)
County of Lincoln, State of Maine, *in*)
personam,)

Defendants.)

Civil Action No.: 2:08-cv-00295-DBH

Judgment of Foreclosure of Ship Mortgage
and Order of Sale

Upon Plaintiff’s Motion for Judgment of Foreclosure and Order of Sale by Default dated September 3, 2008, entry of default having been entered against the F/V DAUNTLESS (O.N. 942105), *in rem*, against Caleb Knapp, *in personam*, and against all other persons and entities that have or may claim an interest in the vessel, it is hereby

ORDERED, ADJUDGED AND DECREED THAT:

1. The First Preferred Ship Mortgage held by Plaintiff upon the F/V DAUNTLESS (O.N. 942105), her engines, machinery, fishing gear and appurtenances is foreclosed;

2. Judgment is awarded in favor of Plaintiff and against Defendant F/V DAUNTLESS (O.N. 942105), *in rem*, and Caleb Knapp, *in personam* in the amount of \$130,742.17 as of October 16, 2008 in principal and accrued interest together with interest after October 16, 2008 accruing at the rate of \$23.52 per diem plus costs of collection including attorney's fees, expenses of sale and custodial costs against Defendant F/V DAUNTLESS, *in rem*, and Defendant Caleb Knapp, *in personam*;
3. The United States Marshal shall sell the said F/V DAUNTLESS (O.N. 942105), her engines, machinery, fishing gear and appurtenances free and clear of all liens and encumbrances at public sale to be advertised by publication once in the Portland Press Herald at least fourteen (14) days prior to sale with the deposit proceeds to be held by the U. S. Marshal;
4. Plaintiff shall submit an Affidavit of its costs and attorneys fees and of the fees and expenses of the Substitute Custodian to be included within the judgment debt for approval by the Court with the Motion for Confirmation of Sale; and
5. Upon Order of Confirmation of Sale by the Court and payment of the balance due to the U.S. Marshal by the purchaser at Marshal's sale, the U.S. Marshal shall distribute the net proceeds after retention of the commission due to the U.S. Marshal as follows: (a) to Plaintiff The First, N.A. its judgment debt as set forth in the Order of Confirmation of Sale and (b) to Defendant Caleb Knapp any surplus. On Motion of Plaintiff, the

Clerk shall issue a Writ for any deficiency against Defendant Caleb Knapp.

Dated: October 23, 2008

/s/D. Brock Hornby
Judge, U.S. District Court