

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

In the matter of	)	Case No. 16-cv-11660
	)	
NORTH SHORE MARINE, INC.	)	
Owner of UTV EMILY ANNE, O.N. 275055	)	In Admiralty
Plaintiff,	)	
<u>for Exoneration from or Limitation of Liability</u>	)	

**ORDER APPROVING SECURITY,  
DIRECTING ISSUANCE OF NOTICE,  
AND ENJOINGING FURTHER PROSECUTION**

A verified Complaint has been filed by the plaintiff for exoneration from or limitation of liability pursuant to 46 U.S.C. §§ 30501-12 and Supplemental Rule F of the Federal Rules of Civil Procedure for any injuries, damages, or losses arising out of or resulting from the UTV EMILY ANNE O.N. 275055 voyage ending on or about February 16, 2016.

The Complaint alleges that the post casualty value of EMILY ANNE after the voyage ending on or about February 16, 2016 was \$6,270.00, as stated in the Declaration of Michael L. Collyer.

On filing the Complaint, plaintiff North Shore Marine, Inc. has deposited with the Court for the benefit of claimants security in the form of a Stipulation re Security for Value of Plaintiff's Interest and executed by surety Liberty International Underwriters, in the amount of SIX THOUSAND AND TWO HUNDRED AND SEVENTY DOLLARS and ZERO CENTS (\$6,270.00), plus FIVE HUNDRED DOLLARS (\$500.00) for costs, plus 6% interest per annum, which represents the sum of (a) plaintiff's interest in EMILY ANNE after the casualty, and (b) plaintiff's statutory obligation to give costs, pursuant to Supplemental Rule F(1).

Plaintiff has also filed an *Ex Parte* Motion for Issuance of Injunction pursuant to Supplemental Rule F(3) of the Federal Rules of Civil Procedure for an Order ceasing and

enjoining all lawsuits, causes of action, and claims against them and their property arising from the voyage ending on or about February 16, 2016, except in this civil action.

THUS IT IS HEREBY ORDERED:

1. That the security for the value and costs deposited with the Court in the total amount of \$6,270.00, plus \$500.00 for costs, plus 6% interests per annum, representing (a) the dollar amount of plaintiff's interest in EMILY ANNE after the voyage including plus (b) costs the plaintiff is statutorily obligated to provide, is approved and plaintiff is hereby deemed to comply with Supplemental Rule F(1) of the Federal Rules of Civil Procedure;

2. That pursuant to Supplemental Rule F(3) of the Federal Rules of Civil Procedure, any and all lawsuits, causes of action, and claims against plaintiff and its property arising from the voyage ending on or about February 16, 2016, except in this civil action, shall cease and are enjoined;

3. That plaintiff serve a copy of this order on any person to be enjoined or provide a copy to such person's counsel;

4. That a notice be issued by the Clerk or Deputy Clerk in form and substance consistent with ECF No. 4-3, to all persons asserting claims with respect to the voyage ending on or about February 16, 2016, admonishing them pursuant to Supplemental Rule F(3) of the Federal Rules of Civil Procedure to file their respective claims in this case via the CM/ECF system with the Clerk of the United States District Court for the District of Massachusetts, on or before October 30, 2016, or be defaulted;

5. That the notice shall be published in *The Boston Globe* once a week for four successive weeks prior to the date for filing claims, as provided in Supplemental Rule F(4) of the

Federal Rules of Civil Procedure, and plaintiff shall also mail copies of the notice in accordance with Supplemental Rule F(4); and

6. That the Court may order the security for value to be increased if it finds that such an order is necessary as provided by Supplemental Rule F(7) of the Federal Rules of Civil Procedure.

DATED this 9 day of September, 2016.

  
United States District Judge