

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
Northern Division**

GREAT LAKES EXPLORATION)
GROUP LLC)
))
Plaintiff,)
))
v.)
))
The Unidentified, Wrecked and (For)
Salvage-Right Purposes), Abandoned)
Sailing Vessel, her tackle,)
apparel, appurtenances, cargo, etc.)
located within a circle having)
a radius of 3.5 statute miles, whose)
center point is at coordinates)
45° 32.8' North latitude and 86° 41.5')
West longitude,)
))
In Rem)
))
Defendant,)

Civil Action No. 1:04-CV-375

HON. ROBERT HOLMES BELL

**INTERVENORS' CERTIFICATION
OF RECEIPT**

v.
STATE OF MICHIGAN DEPARTMENT
OF HISTORY, ARTS, AND LIBRARIES
AND MICHIGAN DEPARTMENT OF
ENVIRONMENTAL QUALITY,
Intervenors.

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INTERVENORS' CERTIFICATION OF RECEIPT

By its "Order Regarding Arrest Warrant and Disclosure of Information" of June 2, 2008 (Docket 114), this Court ordered the Plaintiff to disclose information concerning the precise location of the Defendant to the Intervenors within 30 days of the Marshal filing notice of the execution of the arrest warrant, and the Intervenors to certify receipt within thirty days of receiving such information from the Plaintiff. The Court's Order provided that its "Order Concerning Documents Filed under Seal" (Docket 44) remains in effect.

Plaintiff has yet to serve counsel for the Intervenors with the specified information, as required by the Court's "Order Concerning Documents filed under Seal" (Docket 44), at page 4: "The parties shall serve material designated 'filed under seal,' upon counsel for opposing parties," and by Fed R Civ P 5(b)(1). Nor has Plaintiff yet served the Intervenors with such information by delivering a copy to the chief executive officer of each agency, as called for by Fed R Civ P 4(j)(2)(A), and MCR 2.105(G). Plaintiff has not filed proof of service with the court.

However, on July 21, 2008, a representative of the Plaintiff, Mr. Steven J. Libert, selected individuals within the Intervenors' organizations, individuals other than the chief executive officer, and delivered to each of them a copy of a document marked "Confidential" that purports to be a "Disclosure of Precise Location," and "Court Ordered Documents." Those individuals have delivered the documents to present counsel for Intervenors.

Intervenors are able to certify the receipt of information as described in this Certification. Whether the documents delivered satisfy Plaintiff's obligations under the order and provide a "precise location" of the alleged Defendant adequate to locate and inspect it in place will depend upon an archaeologically responsible investigation of the various locations identified in the documents. The Intervenors are still arranging for such an investigation.

Respectfully submitted,

Michael A. Cox
Attorney General

/s/

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Dated: August 19, 2008

CERTIFICATE OF SERVICE

I hereby certify that on Tuesday, August 19, 2008, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the counsel.

/s/ James R. Piggush

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