

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

GREAT LAKES EXPLORATION)	
GROUP LLC)	
Plaintiff,)	
v.)	Civil Action No. 1:04-CV-375
)	
The Unidentified, Wrecked and (For Salvage- Right Purposes), Abandoned Sailing Vessel, etc.)	HON. ROBERT HOLMES BELL
Defendant, et al.)	

ANSWER OF THE REPUBLIC OF FRANCE AS OWNER OF *LE GRIFFON*

Pursuant to Supplemental Rule C, Fed. R. Civ. P., the Republic of France, by counsel, respectfully files its Answer to the Second Amended Complaint, as the owner of *Le Griffon*, her hull, tackle, apparel, appurtenances, cargo, *etc.*, alleging as follows:

1. Admitted.
2. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 2, accordingly denies the same and calls for strict proof thereof, save that in accordance with the principles, customs, and usages of international law, the general maritime law, and the laws of the United States and France, Claimant respectfully states that (1) it is the owner of the shipwreck of *Le Griffon*; (2) it has not abandoned its interests in *Le Griffon*; and (3) the Republic of France maintains its interests in *Le Griffon* as a sovereign vessel of the Crown of France, performing sovereign functions at the time of her loss, including as a vessel of exploration and warship on behalf of the Crown.
3. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 3, accordingly denies the same and calls for strict proof thereof.

4. Claimant admits that it desires a thorough, careful and historically sound investigation of the Defendant target to corroborate or refute whether it is *Le Griffon*; that it does not object to such an investigation provided that it is carried out in accordance with the foregoing criteria and in accordance with good and standard principles of underwater scientific, historical and archaeological investigation, and further provided that such action shall be conducted in a manner that is not inconsistent with the claim of the Republic of France as the owner of *Le Griffon*.

5. Admitted, and in accordance with the principles, customs, and usages of international law, the general maritime law, and the laws of the United States and France, Claimant respectfully states that (1) it is the owner of the shipwreck of *Le Griffon*; (2) it has not abandoned its interests in *Le Griffon*; and (3) the Republic of France maintains its interests in *Le Griffon* as a sovereign vessel of the Crown of France, performing sovereign functions at the time of her loss, including as a vessel of exploration and warship on behalf of the Crown.

6. The characteristics of the vessel at the time of the sinking are admitted, but Claimant is without sufficient knowledge to admit or deny the other allegations of Paragraph 6, accordingly denies the same and calls for strict proof thereof.

7. Claimant admits that *Le Griffon* is a unique shipwreck of great cultural, historic and other value, but is without sufficient knowledge to admit or deny the other allegations of Paragraph 7, accordingly denies the same and calls for strict proof thereof.

8. The allegations of Paragraph 8 contain allegations of law, to which no response is required, and accordingly are denied.

9. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 9, accordingly denies the same and calls for strict proof thereof.

10. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 10, accordingly denies the same and calls for strict proof thereof.

11. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 11, accordingly denies the same and calls for strict proof thereof.

12. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 12, accordingly denies the same and calls for strict proof thereof, save that in accordance with the principles, customs, and usages of international law, the general maritime law, and the laws of the United States and France, Claimant respectfully states that (1) it is the owner of the shipwreck of *Le Griffon*; (2) it has not abandoned its interests in *Le Griffon*; and (3) the Republic of France maintains its interests in *Le Griffon* as a sovereign vessel of the Crown of France, performing sovereign functions at the time of her loss, including as a vessel of exploration and warship on behalf of the Crown.

14. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 14, accordingly denies the same and calls for strict proof thereof.

15. Claimant incorporates herein by reference its responses to paragraphs 1-14 of this Answer.

16. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 16, accordingly denies the same and calls for strict proof thereof, save that in accordance with the principles, customs, and usages of international law, the general maritime law, and the laws of the United States and France, Claimant respectfully states that (1) it is the owner of the shipwreck of *Le Griffon*; (2) it has not abandoned its

interests in *Le Griffon*; and (3) the Republic of France maintains its interests in *Le Griffon* as a sovereign vessel of the Crown of France, performing sovereign functions at the time of her loss, including as a vessel of exploration and warship on behalf of the Crown.

17. The allegations of Paragraph 17 contain allegations of law, to which no response is required, and accordingly are denied.

18. Claimant incorporates herein by reference its responses to paragraphs 1-17 of this Answer.

19. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 19, accordingly denies the same and calls for strict proof thereof.

20. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 20, accordingly denies the same and calls for strict proof thereof, save that in accordance with the principles, customs, and usages of international law, the general maritime law, and the laws of the United States and France, Claimant respectfully states that (1) it is the owner of the shipwreck of *Le Griffon*; (2) it has not abandoned its interests in *Le Griffon*; and (3) the Republic of France maintains its interests in *Le Griffon* as a sovereign vessel of the Crown of France, performing sovereign functions at the time of her loss, including as a vessel of exploration and warship on behalf of the Crown.

21. Admitted.

22. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 22, accordingly denies the same and calls for strict proof thereof.

23. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 23, accordingly denies the same and calls for strict proof thereof.

24. The allegations of Paragraph 24 contain allegations of law, to which no response is required, and accordingly are denied.

25. Claimant incorporates herein by reference its responses to paragraphs 1-24 of this Answer.

26. The allegations of Paragraph 24 contain allegations of law, to which no response is required, and accordingly are denied.

27. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 27, accordingly denies the same and calls for strict proof thereof.

28. Claimant incorporates herein by reference its responses to paragraphs 1-27 of this Answer.

29. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 29, accordingly denies the same and calls for strict proof thereof.

30. Claimant is without sufficient knowledge to admit or deny the allegations of Paragraph 30, accordingly denies the same and calls for strict proof thereof.

AND, IN FURTHER ANSWERING, without waiving limiting or qualifying the defenses aforesaid, and in addition thereto, Claimant respectfully states that it reserves the right to assert any and all defenses that may be determined in the course of its investigation and discovery of this matter, and in accordance with the principles, customs, and usages of international law, the general maritime law, and the laws of the United States and France, Claimant respectfully states that (1) it is the owner of the shipwreck of *Le Griffon*; (2) it has not abandoned its interests in *Le Griffon*; and (3) the Republic of France maintains its interests in *Le Griffon* as a sovereign vessel of the Crown of France, performing sovereign functions at the time of her loss, including as a

vessel of exploration and warship on behalf of the Crown; and that the Republic of France enjoys and reserves all rights, privileges, powers and defenses associated with its capacity as the sovereign owner of *Le Griffon*.

WHEREFORE, having fully answered, the Republic of France respectfully prays that that it be accorded all its rights, privileges, powers and defenses associated with its capacity as the sovereign owner of *Le Griffon*, and such other relief that is just in the premises and is not inconsistent with its Claim herein.

Respectfully submitted,

/s/ Richard T. Robol
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Attorney for the Republic of France

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was filed electronically and served electronically on all counsel of record via the Court's ECF system this 10th day of February, 2009.

/s/ Richard T. Robol
Richard T. Robol