

**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.)	

**PLAINTIFF’S BRIEF IN SUPPORT OF MOTION TO FILE SECOND
AMENDED COMPLAINT**

Plaintiff Great Lakes Exploration respectfully files this Brief in support of its motion to file the Second Amended Complaint attached as Exhibit 1. Where, as here, leave of Court is required to file an amended pleading, “leave shall be freely granted when justice so requires.” Fed. R. Civ. P. 15(a).

On balance, the interests of justice weigh in favor of permitting filing of Plaintiff’s Second Amended Complaint. The Second Amended Complaint (1) expressly identifies the *in rem* Defendant by name, and (2) provides the location of the Defendant within an area of approximately 3 square nautical miles. The Second Amended Complaint provides greater specificity as to the description of the Defendant, and is substantially more specific than descriptions that have been upheld as sufficiently particularized by other courts adjudicating the exploration of shipwrecks.

No person would be prejudiced by the filing. As of this date, no process has been issued, and no party has filed a responsive pleading.

CONCLUSION

Accordingly, the Court should allow the filing of the Second Amended Complaint.

Respectfully submitted,
GREAT LAKES EXPLORATION GROUP LLC

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of September, 2005, a copy of the foregoing was served by the Court's ECF system, via electronic mail upon all counsel of record.

//s// Richard T. Robol
Of Counsel