

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

GREAT LAKES EXPLORATION
GROUP LLC

Plaintiff

Civil Action No. 1:04-CV-375

v.

HON. ROBERT HOLMES BELL

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.

and

MICHIGAN DEPARTMENT OF HISTORY,
ARTS AND LIBRARIES AND MICHIGAN
DEPARTMENT OF ENVIRONMENTAL
QUALITY,

Intervening Defendants

Richard Thomas Robol
Robol & Winkler LLC
555 City Park Avenue
Columbus, OH 43215
614/559-3846

Roger W. Boer
Roger W. Boer, LLC
161 Ottawa Avenue, NW
Grand Rapids, MI 49503
616/235-3500

James R. Piggush
Assistant Attorney General
Environment, Natural Resources,
and Agriculture Division
P.O. Box 30755
Lansing, MI 48909
517/373-7540

MOTION TO INTERVENE

Now comes the Michigan Department of History, Arts and Libraries and the Michigan Department of Environmental Quality, by their attorneys Michael A. Cox, Attorney General and James R. Piggush, Assistant Attorney General, pursuant to Fed R. Civ. P24(a) and Fed. R. Civ. P Suppl E(2)(a) and move to intervene in this action for the limited purposes of filing the attached Motion to Dismiss for lack of jurisdiction and to defend the state's interest in and jurisdiction over its bottomlands and maritime cultural heritage for the reason that they are so situated that the disposition of this action may as a practical matter impair or impede their ability to protect the interests and the property of State of Michigan, and no present party before the court represents their interest, as more fully set forth in the brief filed in support of this motion.

I have inquired of Plaintiff's attorneys and do not expect that this motion will be contested.

Wherefore, the Michigan Department of History, Arts and Libraries, and the Michigan Department of Environmental Quality, request that their Motion to Intervene for the limited purposes of filing a Motion to Dismiss for lack of jurisdiction and to defend the state's interest in and jurisdiction over its bottomlands and maritime cultural heritage be granted.

Respectfully submitted,

Michael A. Cox
Attorney General

/s/

James R. Piggush (P29221)
Assistant Attorney General
Environment, Natural Resources,
and Agriculture Division
P.O. Box 30755
Lansing, MI 48909
517/373-7540

Dated October 14, 2004

s:nrd/ac/cases/open/great lakes exploration 04ag/motion to intervene

I hereby consent to electronic service in this case pursuant to Local Civil Rule 5.7

s:nrd/ac/cases/open/great lakes exploration 04ag/motion to intervene