

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
IN ADMIRALTY

CIVIL ACTION NO.: 2:22-cv-13-D

In the Matter of:)
)
P&MR OF HATTERAS, INC. d/b/a)
HATTERAS BOAT RENTALS, Owner *Pro*)
Hac Vice of a 1999 Carolina Skiff 21' +/-, HIN #)
EKHB1887D999, North Carolina Registration #)
NC 7460 WG,)
)
For Exoneration from and/or Limitation of)
Liability)

**JUDGMENT OF DEFAULTS
AGAINST NON-APPEARING
PARTIES AND NON-ASSERTED
CLAIMS**

THIS CAUSE having come before the undersigned Clerk of Court on Limitation Plaintiff, P&MR of Hatteras, Inc., d/b/a Hatteras Boat Rentals (“Limitation Plaintiff”), as the owner *Pro Hac Vice* of a 1999 Carolina Skiff 21’ +/-, HIN # EKHB1887D999, North Carolina Registration # NC 7460 WG, her engine, tackle, apparel, appurtenances, fittings, etc., (“Vessel”), Motion for Judgment of Defaults Against Non-Appearing Parties and Non-Asserted Claims and the Court having reviewed the record herein, the Court finds pursuant to Rule 55(b) of the Federal Rules of Civil Procedure that:

1. On March 29, 2022, Limitation Plaintiff filed a Verified Complaint for Exoneration from and/or Limitation of Liability (DE 1), pursuant to 46 U.S.C. §§ 30501 et seq. and Supplemental Admiralty Rule (F), for any injuries, damages or losses of whatever description arising out of the operation of the Vessel, during a voyage on September 6, 2021 and a September 6, 2021 incident which occurred in Pamlico Sound, a navigable body of water (the “Voyage”), the incident referred to in the Complaint.

2. Pursuant to Rule F of the Supplemental Rules of Certain Admiralty and Maritime

Claims of the Federal Rules of Civil Procedure, on or about April 5, 2022, the Court duly issued and entered an Order Directing Issuance of Notice, Restraining Prosecution of Claims (DE 6). Further, on or about April 6, 2022, the Clerk of this Court duly issued a Notice to Claimants of Complaint for Exoneration from or Limitation of Liability (DE 7) which required all potential claimants to file their claims with the Clerk of this Court, in the United States District Court for the Eastern District of North Carolina, Northern Division, and serve on Limitation Plaintiff's attorney, Stevenson L. Weeks, a copy therefore on or before June 27, 2022 or be defaulted. *Id.*

3. The Notice of said Order was duly given and published in *The News and Observer* in Raleigh, North Carolina once a week for four (4) successive weeks ending on May 6, 2022, as required by the Court, and a copy of the Notice was mailed to every person known to have made any claim, whether or not a claim was anticipated, against the Vessel or Limitation Plaintiff arising out of the Voyage on which the claims sought to be limited arose. Notice by Limitation Plaintiff was, in all respects, proper.

4. The June 27, 2022 deadline for receipt of claims and answers has expired.

5. To date, Limitation Plaintiff has been notified of one claim, the claim of the Estate of Brandi Ann Lash.

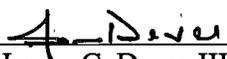
6. No other person or party has appeared, filed any claims or filed any pleadings in this matter.

7. An Order for Entry of Default Against Non-Appearing Parties was entered on August 17, 2022 (DE 23).

IT IS ORDERED, ADJUDGED AND DECREED that Judgment of Defaults is had as to all non-asserted claims arising from the Voyage at issue in this limitation action and against all non-appearing parties having an interest in this matter; that all persons in default are barred,

enjoined and restrained from filing, commencing or prosecuting any claim, answer, suit, action or other proceeding of any nature or description whatsoever for or in connection with or on account of, incidental to, or resulting from the Voyage in this or any proceeding relating to the Voyage at issue; that Limitation Plaintiff is exonerated from liability as to all persons in default; and that the concursus of remaining claimants in this action consists only of the Estate of Brandi Ann Lash.

SO ORDERED. This the 19 day of September, 2022.



James C. Dever III
United States District Judge