

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION
IN ADMIRALTY

PIERSIDE BOATWORKS, INC.,)
)
Plaintiff,)
)
vs.)
)
SAILING VESSEL WITHOUT A NAME,)
Hull ID Number HUN49110H607, her)
engines bowsprit, anchor, cables, chains,)
rigging, tackle, apparel, furniture and all)
accessories hereunto appertaining and)
belonging to her, *in rem*, and KEITH)
E. SHAW, *in personam*,)
)
Defendants.)
_____)

Civil Action No.: 2:09-cv-02993

**ORDER GRANTING
INTERLOCUTORY SALE OF
DEFENDANT VESSEL**

IN CONSIDERATION OF Plaintiff’s Motion for Interlocutory Sale of MISS DCT (formerly named JULIA), a Hunter sailing vessel with Hull Identification Number HUN49110H607 and Coast Guard Official Number 1195230, her engines, sails, tackle, apparel, and appurtenances, the Court being of the opinion that said motion is well founded, hereby GRANTS the motion and

ORDERS that MISS DCT (formerly named JULIA), a Hunter sailing vessel with Hull Identification Number HUN49110H607 and Coast Guard Official Number 1195230, her engines, tackle, apparel, and appurtenances, be sold as is, where is, by the Marshal of this Court, free and clear of all liens, claims, mortgages and encumbrances, on or before February 14, 2012, at the U. S. Post Office Lobby, Broad at Meeting Streets, Charleston, South Carolina 29401.

ORDERS that the Plaintiff shall give notice of the public sale of the vessel and her engines, tackle, apparel, and appurtenances by advertising same in The Post and Courier for two (2) days,

between three (3) and fourteen (14) days prior to the date of such sale. Said Notice shall specify the time and place of the sale, and that prospective buyers, may, on application to the Marshal or Substitute Custodian and at such times and manner as the Marshal or Substitute Custodian may direct, view the vessel and her engines, tackle, apparel and appurtenances at their own risk for the purpose of inspection;

ORDERS that the sale of the vessel and her engines, sails, tackle, apparel, and appurtenances will be to the highest and best bidder and that said bidder will be required to deliver to the Marshal, at the time of the sale ten percent (10%) of the bid price in cash, cashier's check or certified check, and within two (2) days of the date of the sale the remaining ninety percent (90%) of the bid price in cash, cashier's check or certified check, with the acceptance of all cashier's checks conditioned on their payment;

ORDERS that at least twenty four (24) hours prior to the date of the Interlocutory Sale, the Interlocutory Sale may be cancelled by agreement of the parties to this action;

ORDERS that any person disrupting the sale or violating the terms of this order shall be subject to sanctions of this Court and that the United States Marshal shall be entitled to qualify potential bidders as possessing the financial ability to deliver to the United States Marshal the full amount of their bid;

ORDERS that if the successful bidder at such sale fails to deliver to the United States Marshal the full amount of their bid, the Marshal, the successful bidder or any party to this action may move the Court for relief, which motion for relief shall be heard summarily, or at the latest, within ten (10) days of said sale, upon written notice to the Marshal, the successful bidder and all parties to this action;

ORDERS that all court costs, Marshal's fees and expenses, substitute custodian fees, clerk's fees, taxes and costs of sale, shall be deducted from the proceeds of the sale; and

ORDERS that the Marshal shall bring and deposit the proceeds of said sale into the registry of this Court pending the further disposition of this action;

ENTERED this 18th day of January, 2012, at Charleston, South Carolina.

A handwritten signature in black ink, appearing to read "D. Norton", written in a cursive style.

DAVID C. NORTON
UNITED STATES DISTRICT JUDGE