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THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ALASKA GROWTH CAPITAL BIDCO, INC.,  
an Alaska corporation,  
  
Plaintiff,  
  
v.  
  
AKUTAN, Official Number 288598, its engines,  
tackle, rigging, equipment, and other  
appurtenances, etc., *In Rem*;  
  
and  
  
KLAWOCK OCEANSIDE, INCORPORATED,  
a Washington Corporation, LAURENCE E.  
LANG, an individual, CARSON V. LANG, an  
individual, and MARY L. LANG, an individual,  
*In Personam*,  
  
Defendants.

IN ADMIRALTY

Case No.: C17-0734RSM

**ORDER DENYING ISSUANCE  
OF ARREST WARRANT**

THIS MATTER comes before the Court on Plaintiff’s Motion for Arrest of Vessel AKUTAN. Dkt. #2. The Court has reviewed the verified Complaint, along with the remainder of the record and hereby denies Plaintiff’s motion for the following reason. Plaintiff fails to provide sufficient facts or evidence to find that the vessel is currently within this jurisdiction. The sole allegation in the Complaint regarding jurisdiction is that “the Vessel that is the subject of this action is now or during the pendency of this action will be within this judicial district.” Dkt. #1 at ¶ 2 (emphasis added). No specific Vessel location is provided, and it is not clear where the Marshal in this District would actually execute any arrest. Accordingly, Plaintiff’s Motion for Arrest (Dkt. #2) is DENIED.

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As a result, Plaintiff's related Motion for Substitute Custodian (Dkt. #3) is DENIED AS MOOT.

Nothing in this Order prevents Plaintiff from renewing its motions once additional evidence that the Vessel is within the Court's jurisdiction can be provided.

DATED this 11<sup>th</sup> day of May, 2017.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT  
JUDGE