

Proceedings include all events.

2:98cv281 Sea Hunt, Inc., et al v. Shipwrecked Vessels

CLOSED

- 11/98 1 VERIFIED COMPLAINT Filing Fee \$ 150.00 Receipt # 16543
(ariv)
- 3/11/98 2 MOTION by Sea Hunt, Inc. for order appointing special
process server (ariv) [Entry date 03/13/98]
- 3/11/98 3 MOTION by Sea Hunt, Inc. for Appointment of Substitute
Custodian (ariv) [Entry date 03/13/98]
- 3/11/98 4 AFFIDAVIT of Ben Benson in support of [3-1] motion for
Appointment of Substitute Custodian, [2-1] motion for order
appointing special process server by Sea Hunt, Inc. (ariv)
[Entry date 03/13/98]
- 3/11/98 5 MOTION by Sea Hunt, Inc. for Peter E. Hess to Appear Pro
Hac Vice (ariv) [Entry date 03/13/98]
- 3/11/98 6 MOTION by Sea Hunt, Inc. for David J. Bederman to Appear
Pro Hac Vice (ariv) [Entry date 03/13/98]
- 3/11/98 7 Documents presented to Court during in chambers hearing,
ordered filed by Judge Clarke. (ariv) [Entry date 03/13/98]
- 3/12/98 8 ORDER directing the Clerk to issue a warrant for arrest of
the defendant shipwrecked vessel(s) and the artifacts;
granting plaintiff exclusive rights to salvage the
shipwrecked vessels until further order of the court and
enjoining all others from interfering with the exclusive
salvage rights; waiving the requirement of an injunction
bond; directing publication of this action and order; and
granting potential claimants 60 days to file claims and 20
days thereafter to file answers, (signed by Judge J. C.
Clarke Jr.) O.B. Cert. Copies delivered to counsel and to
Marshal : 3/12/98 (ariv) [Entry date 03/13/98]
- 3/12/98 9 ORDER granting [2-1] motion by Sea Hunt, Inc. for order
appointing Sea Hunt, Inc., as special process server to
serve process on the vessels, entered and filed 3/12/98, (
signed by Judge J. C. Clarke Jr.) O.B. Cert. Copies
delivered to counsel and Marshal: 3/12/98 (ariv)
[Entry date 03/13/98]
- 3/12/98 10 ORDER granting [3-1] motion by Sea Hunt, Inc. for
Appointment of Sea Hunt, Inc., as Substitute Custodian for
the shipwrecked vessel(s) and artifacts recovered therefrom;
directing the Marshal to surrender possession of the
artifacts to the Substitute Custodian and thereupon
discharging the Marshal from duties and holding Marshal
harmless for any claims arising out of substitute
possession and safekeeping, entered and filed 3/12/98, (
signed by Judge J. C. Clarke Jr.) O.B. Cert. Copies
delivered to counsel and Marshal: 3/12/98. (ariv)
[Entry date 03/13/98]

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12/98 -- WARRANT OF ARREST IN REM, with 5 copies, issued to arrest Shipwrecked Vessels and artifacts, and delivered to Marshal and to substitute custodian. Mag. notice. (ariv) [Entry date 03/13/98]

3/12/98 11 WARRANT OF ARREST IN REM returned executed as to artifacts on 3/12/98, by Marshal. (ariv) [Entry date 03/13/98]

3/25/98 12 TRANSCRIPT OF PROCEEDINGS for dates of 3/11/98 before the Honorable J. Calvitt Clarke, Jr. (forb)

3/27/98 13 WARRANT RETURN OF SERVICE Executed as to Shipwrecked Vessels 3/14/98 (ariv)

3/27/98 -- **Suspense 5/13/98 (Claims due) (ariv)

5/8/98 14 AFFIDAVIT of David K. Sutelan regarding service of complaint, motions, orders, notice and arrest warrant on potential claimants (U.S. Department of Justice, National Park Service, Assateague Island National Seashore, Attorney General of State of Virginia, Virginia Marine Resources Commission, Virginia Department of Historic Resources, Government of Spain, Spanish Ambassador), by Sea Hunt, Inc. (ariv)

5/8/98 14 AFFIDAVIT of publication (3/21/98) of notice and arrest by Sea Hunt, Inc. (Exhibit D to affidavit) (ariv)

5/11/98 15 MOTION to Intervene by Alpha Quest Corporation and Richard L. Cook (arou) [Entry date 05/13/98]

5/13/98 16 CLAIM (Admiralty) by Commonwealth of VA, William A. Pruitt, Answer due 6/2/98 for Commonwealth of VA (arou) [Entry date 05/14/98]

5/13/98 17 ANSWER to Complaint by Commonwealth of VA (Attorney Roger L. Chaffe and Frederick Fisher) (arou) [Entry date 05/14/98]

5/13/98 -- **Suspense 5/21/98 (claims due) (arou) [Entry date 05/14/98]

5/18/98 18 CLAIM (Admiralty) by Spain (United States of America on behalf of the Kingdom of Spain); filed in Alexandria Div. 5/13/98; filed subject to defect in Norfolk Division 5/18/98 (not verified) (mwin) [Entry date 05/21/98] [Edit date 07/10/98]

5/18/98 19 ANSWER to Complaint by Spain (submitted as "Federal Intervenor United States of America and Claimant Kingdom of Spain"); filed in Alexandria Division 5/13/98; filed in Norfolk Division 5/18/98 (mwin) [Entry date 05/21/98]

5/18/98 20 MOTION by United States to Intervene; filed in Alexandria Division 5/13/98; filed in Norfolk Division 5/18/98 (mwin) [Entry date 05/21/98] [Edit date 05/21/98]

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5/18/98 21 MEMORANDUM by United States in support of [20-1] motion by United States to Intervene, received in Alexandria Division 5/13/98; received in Norfolk Division 5/18/98 (mwin) [Entry date 05/21/98]

5/18/98 22 NOTICE of Attorney Appearance for Spain, United States, by Caroline M. Zander, Barbara B. O'Malley, Damon C. Miller, Lawrence R. Leonard; filed in Alexandria Div. 5/13/98; filed in Norfolk Div. 5/18/98 (mwin) [Entry date 05/21/98]

5/22/98 23 Intervenor's COMPLAINT by Commonwealth of VA against Shipwrecked Vessels, received in Richmond Division on 5/20/98, Filed in Norfolk Division 5/22/98, cert. copy delivered to Marshal (arou) [Entry date 05/28/98]

5/22/98 24 AFFIDAVIT of David K. Suttlean Re: certifying service as required by court order entered 3/12/98 (arou) [Entry date 05/28/98]

5/28/98 -- Conformed copy of Intervening Complaint of Commonwealth of Virginia delivered to U.S. Marshal, by Clerk. (ariv) [Entry date 07/10/98]

6/2/98 25 ANSWER to Complaint with Counterclaims by Alpha Quest Corporat, Richard L. Cook, filed subject to defect (leave of court not granted intervene and no claim filed) (arou) [Entry date 06/03/98] [Edit date 07/10/98]

6/15/98 26 ANSWER by Sea Hunt, Inc. to [23-1] intervenor complaint of Commonwealth of Virginia, filed subject to defect (not signed by attorney admitted to practice) (ariv) [Entry date 07/10/98]

6/30/98 27 MOTION by Sea Hunt, Inc. for Protective Order (ariv) [Entry date 07/10/98]

6/30/98 27 AFFIDAVIT of James R. Reedy, Jr., in support of [27-1] motion for Protective Order by Sea Hunt, Inc. (ariv) [Entry date 07/10/98]

6/30/98 27 AFFIDAVIT of Ben Benson in support of [27-1] motion for Protective Order by Sea Hunt, Inc. (ariv) [Entry date 07/10/98]

6/30/98 28 MEMORANDUM in support of [27-1] motion for Protective Order by Sea Hunt, Inc., received. (ariv) [Entry date 07/10/98]

7/14/98 29 MOTION by United States, Spain to Extend Time to respond to motion for protective order (ariv) [Entry date 07/16/98]

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ORDER denying [15-1] motion to intervene by Alpha Queset and Richard Cook as it is not accompanied by a verified claim or intervening complaint pursuant to Rule 24(c); noting that [25-1] answer with counterclaims from Alpha Quest and Richard Cook is premature absent a verified claim, directing the Clerk to return the answer to them; and allowing them 10 days from this order to file a proper verified claim and answer or forfeit their claim; noting that Sea Hunt's [26-1] answer to Commonwealth of Virginia's intervening complaint is defective, directing Clerk to return said pleading and directing Sea Hunt to submit a properly endorsed answer within 10 days or face default; noting that the [18-1] claim of Spain is not verified pursuant to Supplemental Admiralty Rule (c)(6) and is defective, therefore, the [19-1] answer of Spain is premature, directing the Clerk to return said documents and allowing the United States 10 days to file a proper verified claim and answer on behalf of Spain or Spain will forfeit its claim; denying the United States' [20-1] motion to intervene as it is not accompanied by a pleading setting forth the claim as required by Rule 24(c), and allowing the United States 10 days to file the proper pleadings if it deems it necessary to join this action with Spain; ordering all parties to submit all future filings in this action to the Clerk's Office in the Norfolk Division or such pleadings will not be accepted; denying Seal Hunt's [27-1] motion for protective order and advising counsel to try to reach an agreement regarding the exchange and use of confidential information in discovery; mooted the United States' [29-1] motion for extension of time; and directing the Clerk to refer this action for an initial pretrial conference following the expiration of the 10-day period for supplemental filings to correct defects, entered and filed 7/14/98, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 7/14/98 (ariv) [Entry date 07/16/98]

7/14/98 -- **Suspense 7/28/98 (for supplemental pleadings correcting defects) (ariv) [Entry date 07/16/98]

7/16/98 31 ANSWER by Sea Hunt, Inc. to [23-1] intervenor complaint of Commonwealth of Virginia (endorsed by local counsel) (ariv)

7/22/98 32 VERIFIED CLAIM (Admiralty) by Spain (ariv) [Entry date 07/28/98]

7/22/98 33 RENEWED MOTION by United States to Intervene, with verified claim of Spain attached. (ariv) [Entry date 07/28/98]

7/22/98 34 MEMORANDUM in support of [33-1] motion to Intervene by United States, received. (ariv) [Entry date 07/28/98]

7/22/98 35 REVISED NOTICE of appearance of counsel, by Spain, United States (ariv) [Entry date 07/28/98]

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22/98 36 ANSWER to Verified Complaint by Spain, United States (ariv)
[Entry date 07/28/98]

7/22/98 37 ANSWER by Spain, United States to [23-1] intervenor
complaint of Commonwealth of Virginia (ariv)
[Entry date 07/28/98]

7/24/98 38 VERIFIED CLAIM (Admiralty) by Alpha Quest Corp., Richard L.
Cook (ariv) [Entry date 07/28/98]

7/24/98 39 ANSWER to Complaint by Alpha Quest Corp., Richard L. Cook
(ariv) [Entry date 07/28/98]

7/24/98 39 COUNTERCLAIM by claimant Alpha Quest Corp., claimant
Richard L. Cook against plaintiff Sea Hunt, Inc. (ariv)
[Entry date 07/28/98]

7/24/98 -- **Suspense 8/17/98 for answer to counterclaim. (ariv)
[Entry date 07/28/98]

7/28/98 -- Referred for initial pretrial conference. (ariv)

7/28/98 -- Initial pretrial conference set at 3:15 8/13/98 (ariv)

8/13/98 -- Initial pretrial conference held before TEM, USMJ. (ariv)
[Entry date 08/21/98]

8/19/98 40 MOTION by Sea Hunt, Inc. for Leave to File oversize brief
in support of a motion to dismiss the claim of the Kingdom
of Spain (ariv) [Entry date 08/21/98]

8/21/98 41 ORDER granting [40-1] motion by Sea Hunt, Inc. for Leave to
File oversize brief in support of a motion to dismiss the
claim of the Kingdom of Spain, such brief not to exceed 65
pages, and granting leave to Kingdom of Spain to file a
responsive pleading of equal length, entered and filed
8/21/98, (signed by Magistrate Judge Tommy E. Miller)
Copies Mailed: 8/21/98 (ariv)

8/21/98 42 MOTION by United States, Spain to modify preliminary
injunction (ariv) [Entry date 08/27/98]

8/21/98 43 MEMORANDUM in support of [42-1] motion to modify
preliminary injunction by United States, Spain (with
attachments), received. (ariv) [Entry date 08/27/98]

8/21/98 43 AFFIDAVIT of J. Ashley Roach in support of [42-1] motion to
modify preliminary injunction by United States, Spain (ariv)
[Entry date 08/27/98]

8/21/98 43 AFFIDAVIT of Captain Rand R. Pixa, Judge Advocate General's
Corps, U.S. Navy, in support of [42-1] motion to modify
preliminary injunction by United States, Spain (ariv)

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[Entry date 08/27/98]

- 8/21/98 43 AFFIDAVIT of Carl S. Zimmerman in support of 42-1] motion to modify preliminary injunction by United States, Spain (ariv) [Entry date 08/27/98]
- 8/21/98 44 MEMORANDUM by Sea Hunt, Inc. in opposition to [33-1] renewed motion by United States to Intervene on behalf of Spain, received. (ariv) [Entry date 08/27/98]
- 8/21/98 45 MOTION by Sea Hunt, Inc. to Strike and Dismiss [39-1] counter claim, [39-1] answer and motion to intervene by Richard L. Cook, Alpha Quest Corp. (ariv) [Entry date 08/27/98]
- 8/21/98 46 MEMORANDUM in support of [45-1] motion by Sea Hunt, Inc. to Strike and Dismiss [39-1] counter claim, [39-1] answer and motion to intervene by Richard L. Cook, Alpha Quest Corp., received. (ariv) [Entry date 08/27/98]
- 8/21/98 47 MOTION by Sea Hunt, Inc. to Strike and dismiss [33-1] motion by United States to Intervene as to its regulatory authority (ariv) [Entry date 08/27/98]
- 8/21/98 48 MEMORANDUM in support of [47-1] motion by Sea Hunt, Inc. to Strike and dismiss [33-1] motion by States to Intervene as to its regulatory authority, received. (ariv) [Entry date 08/27/98]
- 8/21/98 49 MOTION by Sea Hunt, Inc. for Partial Judgment on the Pleadings dismissing the claim of the Kingdom of Spain (ariv) [Entry date 08/27/98]
- 8/21/98 50 MEMORANDUM in support of [49-1] motion by Sea Hunt, Inc. for Partial Judgment on the Pleadings dismissing the claim of the Kingdom of Spain, received. (ariv) [Entry date 08/27/98]
- 8/26/98 51 MOTION with Memorandum in Support by United States, Spain to Extend Time to respond to motion for partial judgment on pleadings (ariv) [Entry date 08/27/98]

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- 8/26/98 52 Order on Initial Pretrial Conference on OWNERSHIP and SALVAGE RIGHTS setting Trial date 10:00 A.M. on 3/8/99; proposed findings of fact and conclusions of law to be received by 3/1/98; Final Pretrial conference set for 11:00 A.M. on 2/12/99; all de bene esse depositions to be concluded by 1/22/99; all parties to complete discovery by 1/8/99; deadlines established for disclosure of expert testimony; the contemplated motion to strike by Sea Hunt and the contemplated motion to modify the injunction order by United States to be filed by 8/21/98; responses to be received by 9/1/98; replies to be received by 9/8/98; and hearing on these motions is set 9/15/98 at 11:00 A.M., entered 8/13/98 and filed 8/26/98, (signed by Magistrate Judge Tommy E. Miller) Copies mailed: 8/26/98 (ariv) [Entry date 08/27/98]
- 8/26/98 -- Deadline updated; Response to Motion reset to 9/1/98 for [49-1] motion by Sea Hunt, Inc. for Partial Judgment on the Pleadings dismissing the claim of the Kingdom of Spain, for [47-1] motion by Sea Hunt, Inc. to Strike and dismiss [33-1] motion by United States to Intervene as to its regulatory authority, for [45-1] motion by Sea Hunt, Inc. to Strike and Dismiss [39-1] counter claim, [39-1] answer and motion to intervene by Richard L. Cook, Alpha Quest Corp., for [42-1] motion by United States, Spain to modify preliminary injunction, Motion Hearing set for 11:00 A.M. on 9/15/98 for [47-1] motion by Sea Hunt, Inc. to Strike and dismiss motion by United States to Intervene as to its regulatory authority, for [45-1] motion by Sea Hunt, Inc. to Strike and Dismiss [39-1] counter claim, [39-1] answer and motion to intervene by Richard L. Cook, Alpha Quest Corp., for [42-1] motion by United States, Spain to modify preliminary injunction (ariv) [Entry date 08/27/98]
- 8/26/98 53 Order on Initial Pretrial Conference on REGULATORY ISSUES setting Trial on 5/3/99 at 10:00 A.M.; proposed findings of fact and conclusions of law to be received by 4/28/99; final pretrial conference set 4/16/99 at 11:00 A.M.; all de bene esse depositions to be concluded by 3/26/99; all parties to complete discovery by 1/8/99; deadlines established for disclosure of expert testimony; and identical briefing and hearing schedule set as in previous iptc order, entered 8/13/98 and filed 8/26/98, (signed by Magistrate Judge Tommy E. Miller) Copies Mailed: 8/26/98 (ariv) [Entry date 08/27/98]
- 8/28/98 54 MEMORANDUM by Sea Hunt, Inc. in opposition to [51-1] motion by United States, Spain to Extend Time to respond to motion for partial judgment on pleadings, received. (ariv)

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- 8/28/98 55 ORDER granting [51-1] motion by United States, Spain to Extend Time to respond to motion for partial judgment on pleadings, said response date to be determined by the Judge presiding over the hearing on 9/15/98, entered and filed 8/28/98, (signed by Magistrate Judge Tommy E. Miller)
Copies Mailed: 8/28/98 (ariv)
- 8/31/98 56 REPLY by United States to response to [33-1] motion by United States to Intervene, received (arou)
[Entry date 09/03/98]
- 8/31/98 57 ANSWER by Spain, United States to [39-1] counterclaim by Richard L. Cook, Alpha Quest Corp. (arou)
[Entry date 09/03/98]
- 9/1/98 58 MEMORANDUM by Commonwealth of VA in opposition to [42-1] motion by United States, Spain to modify preliminary injunction, received (arou) [Entry date 09/03/98]
- 9/1/98 59 RESPONSE by Alpha Quest Corp., Richard L. Cook to [45-1] motion by Sea Hunt, Inc. to Strike and Dismiss [39-1] counter claim, [39-1] answer and motion to intervene by Richard L. Cook, Alpha Quest Corp. (arou)
[Entry date 09/03/98]
- 9/1/98 60 MEMORANDUM by United States in opposition to [47-1] motion by Sea Hunt, Inc. to Strike and dismiss [33-1] motion by United States to Intervene as to its regulatory authority, received (arou) [Entry date 09/03/98]
- 9/1/98 61 MEMORANDUM by Sea Hunt, Inc. in opposition to [42-1] motion by United States, Spain to modify preliminary injunction, received (arou) [Entry date 09/03/98]
- 9/8/98 62 REPLY BRIEF by Sea Hunt, Inc. to response to [47-1] motion to Strike and dismiss [33-1] motion by United States to Intervene as to its regulatory authority by Sea Hunt, Inc., received. (ariv) [Entry date 09/09/98]
- 9/8/98 63 REPLY BRIEF by Sea Hunt, Inc. to response to [45-1] motion to Strike and Dismiss [39-1] counter claim, [39-1] answer and motion to intervene by Richard L. Cook, Alpha Quest Corp. by Sea Hunt, Inc., received. (ariv)
[Entry date 09/09/98]
- 9/8/98 64 REPLY BRIEF by Spain, United States to responses to [42-1] motion to modify preliminary injunction by United States, Spain, received. (ariv) [Entry date 09/09/98]
- 9/8/98 65 REBUTTAL MEMORANDUM by Sea Hunt, Inc. in opposition to [33-1] motion by United States to Intervene on behalf of Spain, received. (Recorded per oral direction of JCC, JR., judge. (ariv) [Entry date 09/16/98]

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- 9/15/98 -- Motion hearing held re: [47-1] motion by Sea Hunt, Inc. to Strike and dismiss [33-1] motion by United States to Intervene as to its regulatory authority, [45-1] motion by Sea Hunt, Inc. to Strike and Dismiss counter claim, [39-1] answer and motion to intervene by Richard L. Cook, Alpha Quest Corp., [42-1] motion by United States, Spain to modify preliminary injunction, [33-1] motion by United States to Intervene (ariv) [Entry date 09/16/98]
- 9/15/98 66 * Minute entry: COURT PROCEEDINGS before JCC, JR., judge. Sue Ash, reptr. Counsel appeared. Came on for hearing on plaintiff's motion as to validity of claim of Alpha Quest and as to U.S. regulatory claim and right of United States of intervene to represent Spain, and on motion to modify preliminary injunction. Motion of Anthony Troy, counsel for Sea Hunt, to admit pro hac vice David J. Bederman as co-counsel for Sea Hunt - GRANTED. Consent order entered and filed in open Court. Argument on motion. Oral motion by Alpha Quest, claimant, to file amended counterclaim. Witnesses sworn and testified. Court will enter opinion. (ariv) [Entry date 09/16/98]
- 9/15/98 67 ORDER Dismissing Counts I,II, and III and subparagraphs (b), (f), (g) and (h) of prayer of counterclaim of Alpha Quest and Cook, without prejudice, agreed, entered and filed in open Court 9/15/98, (signed by Judge J. C. Clarke Jr.) (ariv) [Entry date 09/16/98]
- 9/17/98 68 ORDER granting in part, denying in part [45-1] motion by Sea Hunt, Inc. to Strike and Dismiss [39-1] counter claim, [39-1] answer and motion to intervene by Richard L. Cook, Alpha Quest Corp. by DISMISSING the unverified counterclaims with prejudice, entered and filed 9/17/98, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 9/17/98 (ariv) [Entry date 09/18/98]
- 9/23/98 69 ORDER granting [47-1] motion by Sea Hunt, Inc. to Strike and dismiss [33-1] motion by United States to Intervene as to its regulatory authority; mootng [42-1] motion by United States, Spain to modify preliminary injunction, denying [33-1] motion by United States to Intervene, entered and filed 9/23/98, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 9/24/98 (ariv) [Entry date 09/24/98]
- 9/24/98 70 JUDGMENT on decision by the Court that plaintiff's motion to dismiss the United States of America is GRANTED and the United States of America's motion to intervene as to its regulatory authority is DISMISSED, entered by the Clerk 9/23/98 and filed 9/24/98. O.B. Copies Mailed: 9/24/98 (ariv)

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- 9/25/98 71 OPINION and ORDER denying the renewed motion to intervene filed by the United States acting as attorney on behalf of the Kingdom of Spain; granting the Kingdom of Spain 90 days to obtain other counsel or make an appearance on its own behalf in order to properly assert its claims in this case, entered and filed 9/25/98, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 9/25/98 (ariv) [Entry date 09/29/98]
- 10/5/98 72 MOTION with Memorandum in Support by Sea Hunt, Inc. for Reconsideration of and clarification of [69-1] opinion and order dismissing the United States of America's motion to intervene as to its regulatory authority (ariv) [Entry date 10/08/98]
- 10/5/98 -- Deadline updated; Response to Motion reset to 10/19/98 for [72-1] motion by Sea Hunt, Inc. for Reconsideration of and clarification of [69-1] opinion and order dismissing the United States of America's motion to intervene as to its regulatory authority (ariv) [Entry date 10/08/98]
- 10/13/98 73 RESPONSE by Commonwealth of VA in support of [72-1] motion by Sea Hunt, Inc. for Reconsideration of and clarification of [69-1] opinion and order dismissing the United States of America's motion to intervene as to its regulatory (ariv) [Entry date 10/14/98]
- 10/21/98 74 TRANSCRIPT of proceedings before JCC, JR., judge, on 9/15/98 (ariv) [Entry date 10/22/98]
- 10/23/98 75 MEMORANDUM by United States in opposition to [72-1] motion by Sea Hunt, Inc. for Reconsideration of and clarification of [69-1] opinion and order dismissing the United States of America's motion to intervene as to its regulatory authority received. (ariv) [Entry date 10/29/98]
- 10/28/98 76 REPLY BRIEF by Sea Hunt, Inc. to response to [72-1] motion for Reconsideration of and clarification of [69-1] opinion and order dismissing the United States of America's motion to intervene as to its regulatory authority, received. (ariv) [Entry date 10/29/98]
- 10/29/98 77 ORDER ruling on [72-1] motion by Sea Hunt, Inc. for Reconsideration of and clarification of [69-1] opinion and order dismissing the United States of America's motion to intervene as to its regulatory authority by amending the opinion and order of 9/23/98 to change one sentence, and attaching to this order an amended opinion and order, entered and filed 10/29/98, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 10/20/98 (ariv) [Entry date 10/30/98]
- 10/29/98 77 AMENDED OPINION AND ORDER amending [69-1], entered and filed 10/29/98, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 10/30/98 (ariv) [Entry date 10/30/98]

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11/23/98 78 NOTICE OF APPEAL by United States. (ssha)
[Entry date 11/30/98]

12/1/98 -- Copy of Notice of Appeal, Opinion and Order filed 9/25/98
and docket sheet to USCA: copy of notice of appeal and
docketing statement to counsel for USA; copy of notice of
appeal to counsel of record [78-1] appeal by United States
(ssha)

12/14/98 -- USCA Case Number Re: [78-1] appeal. by United States CASE
MANAGER: Sandra Crumpton USCA NUMBER: 98-2766 (ssha)
[Entry date 12/15/98]

12/23/98 79 MOTION by Kingdom of Spain to Intervene (ariv)
[Entry date 12/30/98]

12/23/98 80 CLAIM (Admiralty) to Naval Vessels JUNO and LA GALGA and to
the remains of their crews and passengers and other
contents by Kingdom of Spain. (ariv) [Entry date 12/30/98]

12/23/98 81 ANSWER to Complaint by Kingdom of Spain (ariv)
[Entry date 12/30/98]

12/23/98 82 MOTION by Kingdom of Spain for Summary Judgment (ariv)
[Entry date 12/30/98]

12/23/98 83 MEMORANDUM in support of [82-1] motion for Summary Judgment
by Kingdom of Spain, received. (ariv) [Entry date 12/30/98]

12/23/98 83 MEMORANDUM by Kingdom of Spain in opposition to [49-1]
motion by Sea Hunt, Inc. for Partial Judgment on the
Pleadings dismissing the claim of the Kingdom of Spain,
received. (ariv) [Entry date 12/30/98]

12/23/98 83 AFFIDAVIT of David Beltran Catala, Counselor for Juridical
Affairs, Re: [83-1] opposition memorandum by Kingdom of
Spain, [83-1] support memorandum by Kingdom of Spain (ariv)
[Entry date 12/30/98]

12/23/98 84 MOTION by United States for authorization to file
statement of interest and amicus brief (with proposed
statement of interest and brief from United States as
Amicus Curiae supporting the Kingdom of Spain) (ariv)
[Entry date 12/30/98]

1/14/99 85 ORDER declining to enter the proposed consent order
submitted by counsel for Sea Hunt and Spain; and directing
Spain, United States, and Sea Hunt to submit supplemental
briefs by 1/25/99 regarding whether or not this court
continues to have jurisdiction over the claims of Spain in
light of the appeal to the Fourth Circuit in this action,
entered and filed 1/14/99, (signed by Judge J. C. Clarke
Jr.) Copies Mailed: 1/14/99 (ariv) [Entry date 01/15/99]

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- /19/99 86 MOTION by Sea Hunt, Inc. to Strike [80-1] verified claim of the Kingdom of Spain (ariv) [Entry date 01/20/99]
- 1/19/99 87 MEMORANDUM in support of [86-1] motion by Sea Hunt, Inc. to Strike [80-1] verified claim of the Kingdom of Spain, received. (ariv) [Entry date 01/20/99]
- 1/22/99 88 SUPPLEMENTAL MEMORANDUM by United States on the jurisdiction of this Court over the claims of the Kingdom of Spain, received. (ariv) [Entry date 01/27/99]
- 1/25/99 89 SUPPLEMENTAL MEMORANDUM by Kingdom of Spain on the jurisdiction of this Court over the claims of the Kingdom of Spain, received. (ariv) [Entry date 01/27/99]
[Edit date 01/27/99]
- 1/25/99 90 MOTION by Sea Hunt, Inc. to Dismiss verified claim of Richard Cook and Alpha Quest, Inc. (ariv)
[Entry date 01/27/99]
- 1/25/99 91 MEMORANDUM in support of [90-1] motion to Dismiss verified claim of Richard Cook and Alpha Quest, Inc. by Sea Hunt, Inc., received. (ariv) [Entry date 01/27/99]
- 1/25/99 92 SUPPLEMENTAL MEMORANDUM by Sea Hunt, Inc. on the jurisdiction of this Court over the claims of the Kingdom of Spain, received. (ariv) [Entry date 01/27/99]
- 1/26/99 -- Certification of completion sent to USCA re: [78-1] appeal by United States (ssha)
- 1/29/99 93 MEMORANDUM by Kingdom of Spain in opposition to [86-1] motion by Sea Hunt, Inc. to Strike [80-1] verified claim of the Kingdom of Spain, received. (ariv)
- 1/29/99 94 CONDITIONAL MOTION by Kingdom of Spain for leave to substitute an amended verification (with proposed amended verification attached) (ariv)
- 2/5/99 95 MEMORANDUM (Rejoinder) by Sea Hunt, Inc. in support of [86-1] motion by Sea Hunt, Inc. to Strike [80-1] verified claim of the Kingdom of Spain by Sea Hunt, Inc., received. (rlam) [Entry date 02/10/99]
- 2/5/99 96 RESPONSE by Alpha Quest Corp., Richard L. Cook to [90-1] motion by Sea Hunt, Inc. to Dismiss verified claim of Richard Cook and Alpha Quest, Inc. by Sea Hunt, Inc. (rlam)
[Entry date 02/10/99]
- 2/5/99 97 MEMORANDUM by Alpha Quest Corp., Richard L. Cook in opposition to [96-1] motion response by Richard L. Cook, Alpha Quest Corp., received. (rlam) [Entry date 02/10/99]

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2/10/99 98 ORDER OF USCA dismissing this appeal pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure (certified copy) Re: [78-1] appeal by United States (asha) [Entry date 02/16/99]

2/16/99 99 MOTION by Sea Hunt, Inc. to renew plaintiff's motion for partial judgment on the pleadings dismissing the claim of the Kingdom of Spain (ariv) [Entry date 02/22/99]

2/16/99 100 MEMORANDUM by Sea Hunt, Inc. in opposition to [82-1] motion by Kingdom of Spain for Summary Judgment, received. (ariv) [Entry date 02/22/99]

2/16/99 100 REPLY BRIEF by Sea Hunt, Inc. to Spain's response to [49-1] motion by Sea Hunt, Inc. for Partial Judgment on the Pleadings dismissing the claim of the Kingdom of Spain, received. (ariv) [Entry date 02/22/99]

2/17/99 101 NOTICE of filing of additional verification of affidavit of David Beltran Catala by Kingdom of Spain (ariv) [Entry date 02/22/99]

2/19/99 102 REPL BRIEFY by Sea Hunt, Inc. to response to [90-1] motion by Sea Hunt, Inc. to Dismiss verified claim of Richard Cook and Alpha Quest, Inc., received. (ariv) [Entry date 02/22/99]

2/22/99 -- Deadline updated; set Hearing Deadline for conference with Court 11:00 3/5/99 (ariv) [Entry date 02/26/99]

2/23/99 103 NOTICE of conference with Court on 3/5/99 at 11:00 A.M., by Sea Hunt, Inc. (ariv) [Entry date 02/26/99]

2/24/99 104 ORDER granting Spain leave to file its responses to those filed by Sea Hunt by 3/15/99; that all pleadings heretofore filed regarding plaintiff's motion to renew plaintiff's motion for partial judgment on the pleadings dismissing the claim of the Kingdom of Spain and Spain's motion for summary judgment and other relief are deemed to have been timely filed; that all briefs heretofore or hereafter filed on these motions may exceed the Rule 7 page limit, but may not exceed 50 pages; and extending the time for scheduling a hearing on these motions, agreed, entered and filed 2/14/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 2/24/99 (ariv) [Entry date 02/26/99]

3/1/99 105 MOTION by Kingdom of Spain for Leave to File answer to intervening complaint of Commonwealth of Virginia, with proposed answer attached. (ariv) [Entry date 03/03/99]

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- 4/5/99 -- Motion hearing held re: [105-1] motion by Kingdom of Spain for Leave to File answer to intervening complaint of Commonwealth of Virginia by Kingdom of Spain, [84-1] motion by United States for authorization to file statement of interest and amicus brief by United States (mgra)
- 3/5/99 106 Minute entry: HEARING PROCEEDINGS: JCC, Jr., j. Gloria Smith, OCR. Appearances: Anthony F. Troy, David K. Sutelan, Thomas C. Kleine and Peter E. Hess on behalf of pltf.; Ralph M. Muoio and James A. Goold on behalf of Kingdom of Spain; George R. Leach on behalf of Alpha Quest Corporation and Richard L. Cook. Matter came on for a hearing on the pending motions. Court reviewed with counsel what motions are still pending and what motions need a further hearing. Court granted the motion by the United States for authorization to file statement of interest and amicus brief in support. Court will prepare an order. Court took the motion by Spain for leave to file answer to intervening complaint of Commonwealth of Virginia under advisement. Court stated that it will also enter an order stating that the jurisdiction issue is resolved. Court set a hearing for April 1, 1999, at 10:00 a.m., for oral argument on the pending motions. (mgra)
- 3/5/99 107 ORDER that as the Fourth Circuit has dismissed the appeal of the United States in this matter, the issue of whether this Court continues to have jurisdiction over the claims of Spain is now resolved and this Court has jurisdiction, entered and filed 3/5/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 3/5/99 (ariv) [Entry date 03/08/99]
- 3/5/99 108 ORDER that the verification submitted by Spain (Doc. [101-1]) be filed and made a part of Spain's 12/22/98 motion for summary judgment and other relief, entered and filed 3/5/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 3/5/99 (ariv) [Entry date 03/08/99]
- 3/5/99 109 ORDER granting [84-1] motion by United States for authorization to file statement of interest and amicus brief and ordering said document filed, entered and filed 3/5/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 3/5/99. (ariv) [Entry date 03/08/99]
- 3/5/99 110 Statement of interest and brief for the United States as Amicus Curiae supporting the Kingdom of Spain, filed pursuant to [109-1] order this date. (ariv) [Entry date 03/08/99]
- 3/5/99 111 ORDER granting [105-1] motion by Kingdom of Spain for Leave to File answer to intervening complaint of Commonwealth of Virginia, entered and filed 3/5/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 3/5/99 (ariv) [Entry date 03/08/99]

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- '5/99 112 ANSWER to Intervening Complaint of the Commonwealth of Virginia, by Kingdom of Spain (ariv) [Entry date 03/08/99]
- 3/5/99 113 ORDER, Motion Hearing set for 10:00 4/1/99 for [90-1] motion by Sea Hunt, Inc. to Dismiss verified claim of Richard Cook and Alpha Quest, Inc., for [86-1] motion by Sea Hunt, Inc. to Strike [80-1] verified claim of the Kingdom of Spain, for [82-1] motion by Kingdom of Spain for Summary Judgment, for [49-1] motion by Sea Hunt, Inc. for Partial Judgment on the Pleadings dismissing the claim of the Kingdom of Spain, entered and filed 3/5/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 3/5/99 (ariv) [Entry date 03/08/99]
- 3/15/99 114 REPLY BRIEF to plaintiff's response to [82-1] motion for Summary Judgment by Kingdom of Spain, received. (ariv) [Entry date 03/24/99]
- 3/15/99 114 MEMORANDUM by Kingdom of Spain in opposition to [49-1] motion by Sea Hunt, Inc. for Partial Judgment on the Pleadings dismissing the claim of the Kingdom of Spain, received. (ariv) [Entry date 03/24/99]
- 3/15/99 115 NOTICE of filing affidavits by Sea Hunt, Inc. (ariv) [Entry date 03/24/99]
- '15/99 115 AFFIDAVIT of Horacio Pardo Re: [100-1] opposition memorandum by Sea Hunt, Inc. (ariv) [Entry date 03/24/99]
- 3/15/99 115 AFFIDAVIT of Ben D. Benson Re: [100-1] opposition memorandum by Sea Hunt, Inc. (ariv) [Entry date 03/24/99]
- 3/16/99 116 ORDER directing Clerk to mail a copy of an order entered in C.A 88-618-N to all counsel of record in this case, and directing Clerk to mail a copy of this order to all counsel of record in C/A 88-618-N, entered and filed 3/16/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 3/16/99 (ariv) [Entry date 03/24/99]
- 3/17/99 117 MOTION by United States for leave to present oral argument on behalf of amicus curiae (ariv) [Entry date 03/26/99]
- 3/23/99 118 MOTION by Commonwealth of VA for leave to present oral argument (ariv) [Entry date 03/26/99]
- 3/25/99 119 MOTION by Kingdom of Spain to Strike [115-1] affidavit by Sea Hunt, Inc., [115-1] affidavit by Sea Hunt, Inc., [115-1] notice by Sea Hunt, Inc. (ariv) [Entry date 03/26/99]
- 3/25/99 120 MEMORANDUM in support of [119-1] motion to Strike [115-1] affidavit by Sea Hunt, Inc., [115-1] affidavit by Sea Hunt, Inc., [115-1] notice by Sea Hunt, Inc. by Kingdom of Spain, received. (ariv) [Entry date 03/26/99]

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- 25/99 121 TRANSCRIPT of proceedings (Scheduling Conference) before JCC, JR., judge, on 3/5/99 (ariv) [Entry date 03/26/99]
- 3/29/99 122 MEMORANDUM by Sea Hunt, Inc. in opposition to [119-1] motion by Kingdom of Spain to Strike [115-1] affidavit by Sea Hunt, Inc., [115-1] affidavit by Sea Hunt, Inc., [115-1] notice by Sea Hunt, Inc., received. (ariv) [Entry date 03/31/99]
- 4/1/99 -- Motion hearing held re: [119-1] motion by Kingdom of Spain to Strike [115-1] affidavit by Sea Hunt, Inc., [115-1] affidavit by Sea Hunt, Inc., [115-1] notice by Sea Hunt, Inc. by Kingdom of Spain, [99-1] motion by Sea Hunt, Inc. to renew plaintiff's motion for partial judgment on the pleadings dismissing the claim of the Kingdom of Spain by Sea Hunt, Inc., [94-1] motion by Kingdom of Spain for leave to substitute an amended verification by Kingdom of Spain, [90-1] motion by Sea Hunt, Inc. to Dismiss verified claim of Richard Cook and Alpha Quest, Inc. by Sea Hunt, Inc., [86-1] motion by Sea Hunt, Inc. to Strike [80-1] verified claim of the Kingdom of Spain by Sea Hunt, Inc., [82-1] motion by Kingdom of Spain for Summary Judgment by Kingdom of Spain, [79-1] motion by Kingdom of Spain to Intervene by Kingdom of Spain, [49-1] motion by Sea Hunt, Inc. for Partial Judgment on the Pleadings dismissing the claim of the Kingdom of Spain by Sea Hunt, Inc. (jtho) [Entry date 04/05/99]
- 4/1/99 123 Minute entry: HEARING PROCEEDINGS: JCC, Jr., j; Barbara Ingle, Rptr; appearances: Anthony F. Troy, David K. Sutelan, Peter E. Hess and David J. Bederman on behalf of Sea Hunt; Frederick S. Fisher on behalf of Com. of Va; Lawrence R. Leonard and Barbara B. O'Malley on behalf of USA; George R. Leach on behalf of Alpha Quest Corp and Richard L. Cook; Ralph M. Mucio and James A. Goold on behalf of Kingdom of Spain; Charles M. Lollar and Patrick M. Brogan on behalf of Quicksilver Int'l Inc; comments of court and counsel heard; court excused Quicksilver from hearing; came on for hearing on pending motions; court granted motion by Sea Hunt, Inc., to dismiss verified claim of Richard Cook and Alpha Quest, Inc; court ruled on motion by Sea Hunt, Inc., to strike verified claim of the Kingdom of Spain allowing the conditional filing of the amended compl; court takes remaining pending motions under advisement and will issue and opinion. (jtho) [Entry date 04/05/99]
- 4/1/99 124 JUDGMENT that the motion by Sea Hunt, Inc., to dismiss the verified claim of Richard L. Cook and Alpha Quest, Inc., is granted ent. 4/1/99 and filed 4/6/99. Copies Mailed: 4/6/99 (jtho) [Entry date 04/06/99]
- 4/26/99 125 NOTICE of supplemental authority by Kingdom of Spain (ariv) [Entry date 04/28/99]

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4/27/99 126

ORDER declining to rule on [119-1] motion by Kingdom of Spain to Strike [115-1] affidavit by Sea Hunt, Inc., [115-1] affidavit by Sea Hunt, Inc., [115-1] notice by Sea Hunt, Inc., granting [94-1] motion by Kingdom of Spain for leave to substitute an amended verification, granting [86-1] motion by Sea Hunt, Inc. to Strike [80-1] verified claim of the Kingdom of Spain; granting in part, denying in part [82-1] motion by Kingdom of Spain for Summary Judgment, granting in part, denying in part [49-1] motion by Sea Hunt, Inc. for Partial Judgment on the Pleadings dismissing the claim of the Kingdom of Spain; dismissing the claim of Alpha Quest and Richard Cook; finding that Spain retains title to and ownership of JUNO and that Sea Hunt may not, without Spain's permission, continue salvage operations on the remains of JUNO; finding that the Commonwealth of Virginia owns and has title to LA GALGA and was acting in accord with existing authority in issuing a salvage permit to Sea Hunt for LA GALGA; noting that the remaining issue is whether Sea Hunt is entitled to a salvage award for JUNO under traditional salvage law, and directing parties to submit supplemental briefs on this issue within 30 days, and allowing Amicus United States leave to submit a brief on this issue if it so chooses, entered and filed 4/27/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 4/27/99 (ariv) [Entry date 04/28/99] [Edit date 05/19/99]

4/27/99 127

AMENDED VERIFICATION by claimant Kingdom of Spain, filed pursuant to [126-1] order (ariv) [Entry date 04/28/99]

4/27/99 128

JUDGMENT on decision by the Court that the Kingdom of Spain retains title to and ownership of JUNO, and that its claim of ownership and title to LA GALGA is DENIED and DISMISED; further that Sea Hunt's motion for partial summary judgment is GRANTED to the extent that the Commonwealth of Virginia owns and has title to LA GALGA and was acting in accord with existing authority in issuing a salvage permit to Sea Hunt for LA GALGA, entered by the Clerk and filed 4/27/99. O.B. Copies Mailed: 4/27/99 (ariv) [Entry date 04/28/99]

5/26/99 129

SUPPLEMENTAL MEMORANDUM by Commonwealth of VA regarding salvage award, received. (ariv) [Entry date 05/27/99]

5/27/99 130

SUPPLEMENTAL MEMORANDUM by Kingdom of Spain on the issue of salvage, received. (ariv)

5/27/99 130

AFFIDAVIT of David Beltran Catala Re: [130-1] support memorandum by Kingdom of Spain (ariv)

5/27/99 131

SUPPLEMENTAL MEMORANDUM by Sea Hunt, Inc. regarding salvage award, received. (ariv)

5/27/99 132

SUPPLEMENTAL MEMORANDUM by United States as Amicus Curiae, regarding salvage award, received. (ariv)

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[Entry date 05/28/99]

- 6/3/99 133 TRANSCRIPT of proceedings before Judge Clarke on 4/1/99 (ariv) [Entry date 06/04/99]
- 6/7/99 134 ORDER allowing each party to file a reply brief by 6/15/99 on the issue of salvage award, entered and filed 6/7/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 6/7/99 (ariv)
- 6/15/99 135 SUPPLEMENTAL REPLY BRIEF by Kingdom of Spain on issue of salvage, received. (ariv)
- 6/15/99 136 SUPPLEMENTAL REPLY BRIEF by Commonwealth of VA on salvage award issue, received. (ariv)
- 6/15/99 137 SUPPLEMENTAL REPLY BRIEF by Sea Hunt, Inc. regarding claim of entitlement to a salvage award for the JUNO, received. (ariv)
- 6/15/99 138 SUPPLEMENTAL REPLY BRIEF by United States as Amicus Curiae regarding salvage award, received. (ariv)
- 6/25/99 -- CASE assigned to Judge J. C. Clarke Jr. (ariv) [Entry date 06/28/99]
- '25/99 139 OPINION AND ORDER finding that Sea Hunt is entitled to no salvage award for salvage services previously conducted on JUNO and Sea Hunt is directed to refrain from any further salvage efforts; ordering Sea Hunt to deliver to Spain any artifacts salvaged from JUNO which are currently in Sea Hunt's possession; and should Sea Hunt inadvertently salvage artifacts from JUNO during the course of other salvage operations in the designated salvage areas, such artifacts will be turned over to Spain as the owner of JUNO and no salvage award will be required, entered and filed 6/25/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 6/25/99 (ariv) [Entry date 06/28/99]
- 6/25/99 140 JUDGMENT on decision by the Court that Sea Hunt is entitled to no salvage award for salvage services previously conducted on JUNO, and Sea Hunt is DIRECTED to refrain from any further salvage efforts. Sea Hunt is ORDERED to deliver to Spain any artifacts salvaged from JUNO which are currently in Sea Hunt's possession. Should Sea Hunt inadvertently salvage artifacts from JUNO during the course of other salvage operations in the designated salvage areas, such artifacts will be turned over to Spain as owner of JUNO, and no salvage award will be required, entered by the Clerk and filed 6/25/99. O.B. Copies Mailed: 6/25/99 (ariv) [Entry date 06/28/99]
- 6/25/99 -- Case closed (ariv) [Entry date 06/28/99]

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7/25/99 -- Permanent Record (ariv) [Entry date 06/28/99]

7/9/99 141 MOTION by Kingdom of Spain to Alter or Amend Judgment of 4/27/99 (ariv) [Entry date 07/12/99]

7/9/99 142 MEMORANDUM in support of [141-1] motion to Alter or Amend Judgment of 4/27/99 by Kingdom of Spain, received. (ariv) [Entry date 07/12/99]

7/9/99 143 Response by Amicus Curiae United States in support of [141-1] motion by Kingdom of Spain to Alter or Amend Judgment of 4/27/99 (ariv) [Entry date 07/12/99]

7/19/99 144 MEMORANDUM by Sea Hunt, Inc. in opposition to [141-1] motion by Kingdom of Spain to Alter or Amend Judgment of 4/27/99, received. (ariv) [Entry date 07/20/99]

7/20/99 145 MEMORANDUM by Commonwealth of Virginia in opposition to [141-1] motion by Kingdom of Spain to Alter or Amend Judgment of 4/27/99, received. (ariv) [Entry date 07/23/99]

7/23/99 146 NOTICE OF APPEAL by Kingdom of Spain. FILING FEE \$ 105.00 RECEIPT # 200 21900 (ssha) [Entry date 07/26/99]

7/23/99 147 NOTICE OF APPEAL by Sea Hunt, Inc. FILING FEE \$ 105.00 RECEIPT # 200 21910 (ssha) [Entry date 07/26/99]

7/26/99 -- Copy of Notice of Appeal, Opinion and Order filed 4/27/99, Judgment filed 4/27/99, Opinion and Order filed 6/25/99, Judgment filed 6/25/99 and docket sheet to USCA: copy of notice of appeal, docketing statement and transcript order form to counsel for Kingdom of Spain; copy of notice of appeal to counsel of record [146-1] appeal by Kingdom of Spain (ssha)

7/26/99 -- Copy of Notice of Appeal, Opinion and Order filed 4/27/99, Judgment filed 4/27/99, Opinion and Order filed 6/25/99, Judgment filed 6/25/99 and docket sheet to USCA: copy of notice of appeal, docketing statement and transcript order form to counsel for Sea Hunt; copy of notice of appeal to counsel of record [147-1] appeal by Sea Hunt, Inc. (ssha)

7/26/99 148 REPLY memorandum by Kingdom of Spain to response to [141-1] motion by Kingdom of Spain to Alter or Amend Judgment of 4/27/99, received (mwin)

7/29/99 149 ORDER denying [141-1] motion by Kingdom of Spain to Alter or Amend Judgment of 4/27/99 and reaffirming the rulings in the opinion of 4/27/99, entered and filed 7/29/99, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 7/29/99 (ariv)

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7/29/99 150 JUDGMENT on decision by the Court that the motion of the Kingdom of Spain to alter or amend the Court's judgment of April 27, 1999, is DENIED and the rulings in the opinion and order of April 27, 1999, are REAFFIRMED, entered by the Clerk and filed 7/29/99. O.B. Copies Mailed: 7/29/99 (ariv)

8/4/99 151 AMENDED NOTICE OF APPEAL by Kingdom of Spain. (ssha)

8/4/99 -- Copy of Amended Notice of Appeal, Opinion and Order filed 4/27/99, Judgment filed 4/27/99, Opinion and Order filed 6/25/99, Judgment filed 6/25/99, Order filed 7/29/99, Judgment filed 7/29/99 and docket sheet to USCA: copy of Amended Notice of Appeal to counsel for the Kingdom of Spain; copy of Amended Notice of Appeal to counsel of record re: [151-1] appeal by Kingdom of Spain (ssha)

8/9/99 -- USCA Case Number Re: [146-1] appeal by Kingdom of Spain CASE MANAGER: Carina Domeika USCA NUMBER: 99-2035 (ssha) [Entry date 08/10/99]

8/9/99 -- USCA Case Number Re: [147-1] appeal by Sea Hunt, Inc. CASE MANAGER: 99-2036 USCA NUMBER: Carnia Domeika (ssha) [Entry date 08/10/99]

8/9/99 -- USCA Case Number Re: [151-1] appeal by Kingdom of Spain CASE MANAGER: Carina Domeika USCA NUMBER: 99-2035 (ssha) [Entry date 08/10/99]

8/9/99 152 Copy of USCA Order consolidating 99-2035 and 99-2036 for purposes of briefing and oral argument. (ssha) [Entry date 08/10/99]

8/10/99 -- Certification of completion sent to USCA re: [151-1] appeal by Kingdom of Spain, [147-1] appeal by Sea Hunt, Inc., [146-1] appeal by Kingdom of Spain (ssha)

7/24/00 153 Advanced copy of Opinion of USCA re: [151-1] appeal by Kingdom of Spain, [147-1] appeal by Sea Hunt, Inc., [146-1] appeal by Kingdom of Spain (ssha)

9/13/00 154 Opinion of USCA re: [151-1] appeal by Kingdom of Spain, [147-1] appeal by Sea Hunt, Inc., [146-1] appeal by Kingdom of Spain (ssha) [Entry date 09/15/00]

9/13/00 155 JUDGMENT OF USCA affirming in part and reversing in part the judgment of the District Court (certified copy) Re: [151-1] appeal by Kingdom of Spain, [147-1] appeal by Sea Hunt, Inc., appeal by Kingdom of Spain, filed. ob. (ssha) [Entry date 09/15/00]

10/23/00 156 MOTION by Kingdom of Spain to terminate appointment of substitute custodian, and by Kingdom of Spain to enforce judgment (ariv)

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- 10/23/00 157 MEMORANDUM in support of [156-1] motion to terminate appointment of substitute custodian, [156-2] motion to enforce judgment by Kingdom of Spain, received. (ariv)
- 10/26/00 -- Letter/notice from the USCA that the Supreme Court has received and filed a writ of certiorari. (ssha)
- 10/31/00 -- Letter/notice that the Supreme Court has received and filed a petition for writ of certiorari on the second appeal. (ssha)
- 11/8/00 158 ORDER, Response to Motion reset to 11/17/00 for [156-1] motion by Kingdom of Spain to terminate appointment of substitute custodian, for [156-2] motion by Kingdom of Spain to enforce judgment, and extending time for Spain to file reply to responses until seven days after date of filing of responses, agreed, entered and filed 11/8/00, (signed by Magistrate Judge Tommy E. Miller) Copies Mailed: 11/8/00 [EOD Date: 11/8/00] (ariv)
- 11/17/00 159 MOTION by Sea Hunt, Inc. for clarification, or, in the alternative, by Sea Hunt, Inc. for relief pursuant to FRCivP 60(b)(6) (ariv) [Entry date 11/20/00]
- 11/17/00 160 MEMORANDUM in support of [159-1] motion for clarification by Sea Hunt, Inc., [159-2] motion for relief pursuant to FRCivP 60(b)(6) by Sea Hunt, Inc., received. (ariv) [Entry date 11/20/00]
- 11/17/00 160 MEMORANDUM by Sea Hunt, Inc. in opposition to [156-1] motion by Kingdom of Spain to terminate appointment of substitute custodian, [156-2] motion by Kingdom of Spain to enforce judgment, received. (ariv) [Entry date 11/20/00]
- 11/17/00 161 RESPONSE by Commonwealth of VA to [156-1] motion by Kingdom of Spain to terminate appointment of substitute custodian, [156-2] motion by Kingdom of Spain to enforce judgment, filed subject to defect (not signed by attorney admitted to practice in this court) (ariv) [Entry date 11/20/00]
- 11/21/00 162 RESPONSE by Commonwealth of VA to [156-1] motion by Kingdom of Spain to terminate appointment of substitute custodian, [156-2] motion by Kingdom of Spain to enforce judgment (ariv)
- 11/27/00 163 REPLY BRIEF by Kingdom of Spain to Sea Hunt's and Virginia's responses to [156-1] motion to terminate appointment of substitute custodian by Kingdom of Spain, [156-2] motion to enforce judgment by Kingdom of Spain, received. (ariv) [Entry date 11/28/00]

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- 3/29/00 164 REPLY BRIEF by Sea Hunt, Inc. to Spain's response to [159-1] motion for clarification, [159-2] motion for relief pursuant to FRCivP 60(b)(6) by Sea Hunt, Inc., received. (ariv) [Entry date 11/30/00]
- 12/5/00 165 AFFIDAVIT of Ben Benson Re: [164-1] response reply by Sea Hunt, Inc. (ariv)
- 12/6/00 166 ORDER advising counsel that the Court will take no action on the pending motions until the Supreme Court rules on the pending petition for writ of certiorari; directing Sea Hunt to make the artifacts in its possession which were retrieved from the Virginia Permit areas available for study to counsel for Spain; and directing Sea Hunt to provide for study by all parties the precise locations within the Virginia Permit areas where it salvaged the artifacts, entered 12/5/00 and filed 12/6/00, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 12/6/00 [EOD Date: 12/6/00] (ariv)
- 1/16/01 167 MOTION with Memorandum in Support by Kingdom of Spain to Compel Compliance with Court's Order of 12/6/00, and by Kingdom of Spain for Attorney Fees and Expenses, and by Kingdom of Spain for Sanctions (ariv) [Entry date 01/17/01]
- 1/16/01 -- Deadline updated; Response to Motion reset to 1/26/01 for [167-1] motion by Kingdom of Spain to Compel Compliance with Court's Order of 12/6/00, reset to 1/26/01 for [167-2] motion by Kingdom of Spain for Attorney Fees and Expenses, reset to 1/26/01 for [167-3] motion by Kingdom of Spain for Sanctions (ariv) [Entry date 01/17/01]
- 1/26/01 168 MEMORANDUM by Sea Hunt, Inc. in opposition to [167-1] motion to Compel Compliance with Court's Order of 12/6/00, [167-2] motion for Attorney Fees and Expenses, [167-3] motion for Sanctions by Kingdom of Spain, received. (ariv)
- 1/30/01 169 ORDER directing counsel for Spain and for Sea Hunt to meet in Richmond on 2/5/01 at 9:00 AM to view all of the artifacts which Sea Hunt has obtained while salvaging pursuant to its contract with Commonwealth of Virginia; directing Sea Hunt to furnish Spain with a copy of its detailed inventory; directing all counsel to then travel to Chincoteague where the balance of the artifacts now in Sea Hunt's possession will be made available for observation and listing by counsel for Spain; directing counsel for Sea Hunt to have available in its Richmond office all artifacts which are now located in Delaware and North Carolina; and allowing counsel for any intervening party to attend the meetings in Richmond and Chincoteague, entered and filed 1/30/01, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 1/30/01 [EOD Date: 1/31/01] (ariv) [Entry date 01/31/01]

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2/01 170 AFFIDAVIT of Ben Benson in support of [168-1] opposition memorandum by Sea Hunt, Inc. (ariv) [Entry date 02/05/01]

2/12/01 171 MOTION with Memorandum in Support by Sea Hunt, Inc. for Reconsideration of [166-1] order, filed subject to defect (late) (ariv) [Entry date 02/15/01]

2/23/01 -- Letter/notice received from the USCA that a Supreme Court Order was filed on 2/20/01 denying certiorari in Appeal No. 99-2035. (ssha)

2/23/01 -- Letter/notice received from USCA that a Supreme Court Order was filed on 2/20/01 denying certiorari in Appeal No. 99-2036. (ssha)

2/27/01 172 RENEWED MOTION by Kingdom of Spain for enforcement of this Court's order of 6/25/99, and by Kingdom of Spain for Sanctions (ariv) [Entry date 02/28/01]

2/27/01 172 RESPONSE by Kingdom of Spain to [171-1] motion by Sea Hunt, Inc. for Reconsideration of [166-1] order (ariv) [Entry date 02/28/01]

2/27/01 -- Status Conference set at 11:00 3/2/01 before Judge J. C. Clarke Jr. (ariv) [Entry date 02/28/01]

3/1/01 173 REPLY BRIEF by Sea Hunt, Inc. to Spain's response to [171-1] motion for Reconsideration of [166-1] order by Sea Hunt, Inc., received. (ariv)

3/1/01 174 MEMORANDUM by Commonwealth of VA in support of [171-1] motion by Sea Hunt, Inc. for Reconsideration of [166-1] order, received. (ariv)

3/2/01 -- Status Conference held (danc)

3/2/01 175 Minute entry: COURT PROCEEDINGS: JCC, Jr., j; Diane Gray, OCR; app. by Anthony F. Troy & Thomas Kleine on behalf of Sea Hunt, Inc., Frederick Fisher & Scott Fitzgerald on behalf of Commonwealth of Virginia; & James A. Goold & Ralph M. Muoio on behalf of Kingdom of Spain. (Note: Mr. Goold adv. court Lawrence Leonard and Michael Ryan, of the Office of U. S. Atty, were preent in the courtroom). Came on for status conference. Comments of court & cnsl. heard; argued. Court's comments & rulings read into record. Matter cont. for status conference until March 16, 2001, at 1:00 pm. Court ORDERS that Sea Hunt disclose the precise location where goods were salvaged from JUNO & LaGALGA to Commonwealth of Va. & Kingdom of Spain. This information shall be kept confidential by both Commonwealth & Kingdom of Spain while cnsl. work on Protective Order. Court kept file & will prepare order. (danc)

Proceedings include all events.

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CLOSED

- 3/2/01 176 ORDER continuing this matter to give counsel further time to confer with their clients; set Status Conference for 1:00 3/16/01; directing that custody of the artifacts at issue in this matter be transferred to the joint custody of Commonwealth of Virginia and Kingdom of Spain; and directing counsel for parties to confer and submit a more detailed consent order on the issue of confidentiality, entered and filed 3/2/01, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 3/2/01 [EOD Date: 3/5/01] (ariv) [Entry date 03/05/01]
- 3/16/01 -- Status Conference held (jtho)
- 3/16/01 177 Minute entry: COURT PROCEEDINGS: JCC, Jr., J; Sue Ash, OCR. Appearances: Anthony F. Troy and Thomas Kleine on behalf of Sea Hunt, Inc.; Frederick Fisher on behalf of Commonwealth of Va; James A. Goold and Ralph M. Muoio on behalf of Kingdom of Spain; Mr. Goold advised the court that Lawrence Leonard, AUSA was present on behalf of U.S. Came on for status conference. Comments of court and counsel heard. Agreed Final Order submitted by counsel, ent. and filed in open court. Court advised counsel that the court will prepare an Order denying the Kingdom of Spain's motions for attorney fees and sanctions. (jtho)
- 3/16/01 178 FINAL ORDER, pursuant to Order of March 2, 2001, the Court orders: 1. Artifacts recovered by plaintiff Sea Hunt, Inc. shall be made available to the Kingdom of Spain on or before March 23, 2001. 2. Whatever location information was acquired by Sea Hunt shall be provided to Spain on or before March 30, 2001, ent. and filed in open court 3/16/01, (signed by Judge J. C. Clarke Jr.) Copies distributed: 3/16/01, o.b. [EOD Date: 3/16/01] (jtho)
- 3/16/01 179 ORDER denying motions in this action as all pending disputes have been addressed and resolved by parties, and therefore ordering this action dismissed, entered and filed 3/16/01, (signed by Judge J. C. Clarke Jr.) O.B. Copies Mailed: 3/16/01 [EOD Date: 3/20/01] (ariv) [Entry date 03/20/01]

Proceedings include all events.

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CLOSED

- 3/16/01 -- Deadline updated; denying [172-1] motion by Kingdom of Spain for enforcement of this Court's order of 6/25/99, denying [172-2] motion by Kingdom of Spain for Sanctions, denying [171-1] motion by Sea Hunt, Inc. for Reconsideration of [166-1] order, denying [167-1] motion by Kingdom of Spain to Compel Compliance with Court's Order of 12/6/00, denying [167-2] motion by Kingdom of Spain for Attorney Fees and Expenses, denying [167-3] motion by Kingdom of Spain for Sanctions, denying [159-1] motion by Sea Hunt, Inc. for clarification, denying [159-2] motion by Sea Hunt, Inc. for relief pursuant to FRCivP 60(b)(6), denying [156-1] motion by Kingdom of Spain to terminate appointment of substitute custodian, denying [156-2] motion by Kingdom of Spain to enforce judgment (ariv) [Entry date 03/20/01]
- 3/19/01 180 ORDER Vacating [179-1] order as to the issue of whether Sea Hunt should retain salvage rights in all or part of the four locations; advising Sea Hunt that if it wishes to retain salvage rights to the four areas previously granted it that it shall be necessary to exclude those areas where the wrecks of the Juno and La Galga and their artifacts are located; and noting that in all other respects, the two orders entered on 3/16/01 are in full force and effect, entered and filed 3/19/01, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 3/19/01 [EOD Date: 3/20/01] (ariv) [Entry date 03/20/01]
- 3/30/01 181 NOTICE OF APPEAL OF [178-1] order, [180-1] order Vacating [179-1] order as to the issue of whether Sea Hunt should retain salvage rights in all or part of the four locations by Sea Hunt, Inc. . (ariv)
- 4/2/01 -- Copy of Notice of Appeal, Order filed 3/16/01, Order filed 3/16/01, Order filed 3/19/01 and docket sheet to USCA: copy of notice of appeal, docketing statement and transcript purchase order form to counsel for appellant; copy of notice of appeal to counsel of record re: [181-1] appeal by Sea Hunt, Inc. (ssha)
- 4/2/01 -- USCA appeal fees received \$ 105.00 Receipt # 200 29055 (ssha)
- 4/2/01 182 MOTION by Sea Hunt, Inc. for David J. Bederman to Withdraw as Attorney (ssha)
- 4/5/01 -- USCA Case Number Re: [181-1] appeal by Sea Hunt, Inc. CASE MANAGER: Merlene Smith-Taylor USCA NUMBER: 01-1432 (ssha) [Entry date 04/06/01]

Proceedings include all events.

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20/01 183 ORDER granting [182-1] motion by Sea Hunt, Inc. for David J. Bederman to Withdraw as Attorney (Terminated attorney David J. Bederman for Sea Hunt, Inc.), entered and filed 4/20/01, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 4/23/01 [EOD Date: 4/23/01] (ariv) [Entry date 04/23/01]

4/23/01 184 TRANSCRIPT OF PROCEEDINGS filed [181-1] appeal by Sea Hunt, Inc. for dates of 3/16/01 (ssha)

5/2/01 185 TRANSCRIPT OF PROCEEDINGS filed [181-1] appeal by Sea Hunt, Inc. for dates of 3/2/01 (ssha) [Entry date 05/04/01]

5/15/01 -- Certification of completion sent to USCA re: [181-1] appeal by Sea Hunt, Inc. (ssha)

5/23/01 186 JUDGMENT OF USCA granting Kingdom of Spain's motion to dismiss and dismissing this appeal (certified copy) Re: [181-1] appeal, filed. ob. (ssha)

6/11/01 187 MOTION by Kingdom of Spain to Compel compliance with final order, by Kingdom of Spain for Sanctions (ariv)

6/21/01 188 ORDER directing Anthony Troy, counsel for Sea Hunt, to immediately furnish to the Court the names and addresses of every person who has served as an officer or director of Sea Hunt from 12/6/01 to the present, such information to be furnished within 24 hours of the receipt of this order by Mr. Troy, entered and filed 6/21/01, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 6/22/01 [EOD Date: 6/22/01] (ariv) [Entry date 06/22/01]

6/21/01 189 RESPONSE by Sea Hunt, Inc. in opposition to [187-1] motion to Compel compliance with final order, [187-2] motion for Sanctions by Kingdom of Spain (ariv) [Entry date 06/22/01]

6/26/01 190 RESPONSE by Sea Hunt, Inc. to [188-1] order (ariv)

6/28/01 191 REPLY BRIEF by Kingdom of Spain to Sea Hunt's response to [187-1] motion to Compel compliance with final order, [187-2] motion for Sanctions by Kingdom of Spain, received. (ariv)

7/6/01 -- Motion hearing re: [187-1] motion by Kingdom of Spain to Compel compliance with final order set at 2:00 7/23/01, [187-2] motion by Kingdom of Spain for Sanctions set at 2:00 7/23/01 (ariv) [Entry date 07/11/01]

7/9/01 192 ORDER setting hearing on 7/23/01 at 2:00 on Spain's motion to compel compliance with Court's orders and for sanctions; and directing Peter Knollenberg and Joseph T. Birch, V, the officers and directors of Sea Hunt to be present at the hearing, entered and filed 7/9/01, (signed by Judge J. C. Clarke Jr.) Copies Mailed: 7/9/01 [EOD Date: 7/11/01]

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CLOSED

(ariv) [Entry date 07/11/01]

8/3/01

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ORDER dismissing all matters in this action pursuant to settlement of parties, agreed, entered and filed 8/3/01, (signed by Judge J. C. Clarke Jr.) O.B. Copies Mailed: 8/3/01 [EOD Date: 8/3/01] (ariv)