

RUSSELL P. BROWN (SBN: 84505)
 JAMES F. KUHNE, JR. (SBN: 251150)
 GORDON REES SCULLY MANSUKHANI LLP
 101 W. Broadway, Suite 2000
 San Diego, CA 92101
 Telephone: (619) 696-6700
 Facsimile: (619) 696-7124

Attorneys for Plaintiffs
 TRUTH AQUATICS, INC. AND
 GLEN RICHARD FRITZLER AND DANA
 JEANNE FRITZLER, INDIVIDUALLY AND AS
 TRUSTEES OF THE FRITZLER FAMILY TRUST
 DTD 7/27/92

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

In the Matter of the Complaint of Truth
 Aquatics, Inc. and Glen Richard Fritzler and
 Dana Jeanne Fritzler, individually and as
 Trustees of the Fritzler Family Trust DTD
 7/27/92 as owners and/or owners pro hac vice
 of the dive vessel CONCEPTION, Official
 Number 638133, for Exoneration from or
 Limitation of Liability

CASE NO. 2:19-cv-07693

**NOTICE OF LODGMENT OF
 [PROPOSED] ORDERS RE EX
 PARTE APPLICATION FOR:**

- 1. APPROVAL OF
 STIPULATION FOR
 VALUE AND COSTS**
- 2. ORDER RESTRAINING
 ALL SUITS AND
 DIRECTING
 MONITION TO ISSUE**
- 3. ORDER DIRECTING
 EXECUTION OF
 MONITION AND
 PUBLICATION OF
 NOTICE**

TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Counsel for Plaintiffs TRUTH AQUATICS, INC., GLEN RICHARD FRITZLER AND DANA JEANNE FRITZLER, INDIVIDUALLY AND AS TRUSTEES OF THE FRITZLER FAMILY TRUST DTD 7/27/92 (hereinafter "PLAINTIFFS"), hereby lodges the following Proposed Orders

1 regarding their Ex Parte for Approval Of Stipulation For Value And Costs, Order
2 Restraining All Suits And Directing Monition To Issue And Order Directing
3 Execution Of Monition And Publication Of Notice:

- 4 1. [Proposed] Order Regarding Stipulation for Value and Costs;
5 2. [Proposed] Order Restraining All Suits and Directing Monition to
6 Issue;
7 3. [Proposed] Order Directing Execution of Monition and Publication of
8 Notice.

9
10 Dated: September 11, 2019

GORDON REES SCULLY
MANSUKHANI LLP

11
12 By: /s/ Russell P. Brown
13 Russell P. Brown
14 James F. Kuhne, Jr.
15 Attorneys for Plaintiffs
16 TRUTH AQUATICS, INC. AND
17 GLEN RICHARD FRITZLER
18 AND DANA JEANNE
19 FRITZLER, INDIVIDUALLY
20 AND AS TRUSTEES OF THE
21 FRITZLER FAMILY TRUST
22 DTD 7/27/92
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GORDON REES SCULLY MANSUKHANI LLP
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 San Diego, CA 92101
 Telephone: (619) 696-6700
 Facsimile: (619) 696-7124

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

It appearing that a Complaint was filed in the United States District Court for the Central District of California by Plaintiffs TRUTH AQUATICS, INC., GLEN RICHARD FRITZLER AND DANA JEANNE FRITZLER, INDIVIDUALLY AND AS TRUSTEES OF THE FRITZLER FAMILY TRUST DTD 7/27/92 (hereinafter “PLAINTIFFS”), as owners and/or owners *pro hac vice* of the dive vessel CONCEPTION, Official Number 638133 (hereinafter “CONCEPTION”), pursuant to the Limitation of Liability Act, 46 U.S.C. §30501, *et seq.*, claiming right to exoneration from, or limitation of, liability for all claims arising out of that certain fire on or about September 2, 2019, on the navigable waters off the coast of Santa Cruz Island, California, and involving the CONCEPTION, as alleged and for the reasons and because of the circumstances

1 set forth in the Complaint; and

2 Lauralee Meade of Arnold & Arnold, independent adjusters that were
3 retained by the insurers of the vessel CONCEPTION, to, among other things,
4 investigate the damage to the CONCEPTION caused by that certain fire on or
5 about September 2, 2019, on the navigable waters off the coast of Santa Cruz
6 Island, California and oversee and coordinate the salvage and wreck removal and
7 pollution control of the remains of the hull, having filed a declaration captioned
8 DECLARATION OF LAURALEE MEADE REGARDING VALUE OF DIVE
9 VESSEL CONCEPTION, that the CONCEPTION, as a result of the fire and
10 sinking, is a total loss and has zero (\$00.00) value and that the aggregate value of
11 Plaintiffs' interest in the CONCEPTION immediately following the incident and at
12 the end of the subject voyage having been alleged as worth nothing, and Plaintiffs
13 have agreed to pay into the court the sum of One Thousand and no/100 (\$1,000) as
14 security for costs pursuant to local admiralty rule F.1(83-F.1) as ordered by the
15 Court:

16 IT IS ORDERED that Plaintiff's Stipulation for Value and Costs is
17 approved.

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19 IT IS SO ORDERED, this ____ day of _____, 2019.

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21 UNITED STATES DISTRICT JUDGE
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1 CONCEPTION immediately following the incident was worth nothing, and it
2 further appearing that PLAINTIFFS have filed a Stipulation for Value and Costs
3 and Plaintiffs are not required to provide security for costs until further order of
4 this Court and it further appearing that claims have been made, or will be made,
5 against PLAINTIFFS, and/or the CONCEPTION, for losses or damages arising out
6 of, or in some manner connected with, the matters set forth in the Complaint;

7 NOW, THEREFORE, on application of PLAINTIFFS:

8 IT IS ORDERED that the institution or prosecution of any and all suits,
9 actions or legal proceedings of any nature and description whatsoever, against
10 PLAINTIFFS, or the CONCEPTION, or any property of PLAINTIFFS, whether
11 presently ongoing, filed but unknown, or to be filed in the future, except in this
12 proceeding, with respect to any claims for death, injuries, property loss, or
13 damages, arising out of, resulting from, or in any manner connected with the fire
14 on September 2, 2019, aboard the CONCEPTION which the Complaint in this
15 action seeks exoneration from, or limitation of liability, be, and the same hereby
16 are, stayed and restrained until the hearing and determination of this proceeding;

17 IT IS FURTHER ORDERED that a monition issue out of and under the seal
18 of this Court to all persons and entities asserting any claim with respect to that
19 which the Complaint in this action seeks exoneration from, or limitation of,
20 liability, admonishing them to file their respective claims with the Clerk of this
21 Court at the United States Courthouse, in writing and under oath, and to serve a
22 copy thereof on the attorneys for PLAINTIFFS, on or before the February 1, 2020,
23 or be deemed in contumacy and default;

24 IT IS FURTHER ORDERED that public notice of the monition and this
25 action be published, by PLAINTIFFS, in The Los Angeles Times, a newspaper of
26 general circulation printed and published in Los Angeles County, California, once
27 in each week for four (4) successive weeks prior to the date hereinabove fixed for
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1 the filing of claims;

2 IT IS FURTHER ORDERED that PLAINTIFFS, not later than the date of
3 the second publication, shall mail a copy of the monition to every person and entity
4 known to have asserted any claim against PLAINTIFFS, or the CONCEPTION,
5 arising out of, resulting from, or in any manner connected with, that which the
6 Complaint in this action seeks exoneration from, or limitation of, and in those
7 cases where the person or entity making the claim is known to have an attorney,
8 the monition shall be mailed to such attorney; and a copy of such monition shall be
9 mailed to such other persons as are known to have any claim against
10 PLAINTIFFS, or the CONCEPTION, arising out of, resulting from, or in any
11 manner connected with, that which the Complaint in this action seeks exoneration
12 from, or limitation of, not later than the second day of the aforementioned
13 publication; and

14 IT IS FURTHER ORDERED that service of this Order as a restraining order
15 may be had by mailing a certified copy of this Order to the persons to be
16 restrained, or to their attorneys acting on their behalf.

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18 IT IS SO ORDERED, this ____ day of _____, 2019.

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20 UNITED STATES DISTRICT JUDGE
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1 set forth in the Complaint; and

2 Lauralee Meade of Arnold & Arnold, independent adjusters that were
3 retained by the insurers of the vessel CONCEPTION, to, among other things,
4 investigate the damage to the CONCEPTION caused by that certain fire on or
5 about September 2, 2019, on the navigable waters off the coast of Santa Cruz
6 Island, California and oversee and coordinate the salvage and wreck removal and
7 pollution control of the remains of the hull, having filed a declaration captioned
8 DECLARATION OF LAURALEE MEADE REGARDING VALUE OF DIVE
9 VESSEL CONCEPTION, that the CONCEPTION, as a result of the fire and
10 sinking, is a total loss and has zero (\$00.00) value and that the aggregate value of
11 Plaintiffs' interest in the CONCEPTION immediately following the incident and at
12 the end of the subject voyage having been alleged as worth nothing, and Plaintiffs
13 have agreed to pay into the court the sum of One Thousand and no/100 (\$1,000) as
14 security for costs pursuant to local admiralty rule F.1(83-F.1) as ordered by the
15 Court:

16 IT IS ORDERED that Plaintiff's Stipulation for Value and Costs is
17 approved.

18
19 IT IS SO ORDERED, this ____ day of _____, 2019.

20
21 UNITED STATES DISTRICT JUDGE
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U.S.C. §30501 *et seq.*, with respect to any and all losses or damages arising out of, resulting from, or in any manner connected with, that certain fire on or about September 2, 2019, on the navigable waters off the coast of California (“Fire”) and involving the CONCEPTION as alleged, and for the reasons and because of the circumstances set forth in the Complaint, and praying that a monition issue out of and under the seal of this Court, admonishing all persons and entities claiming any loss, damage or injury arising out of, resulting from, or in any manner connected with, the aforesaid Fire, to file their claims with the Clerk of this Court at the United States Courthouse, and to serve a copy thereof on the attorneys for PLAINTIFFS, on or before the February 1, 2020, and that when all proceedings have been completed, if it shall appear that the PLAINTIFFS are not liable for any such loss or damage, it may be finally so decreed by this Court;

WHEREAS, PLAINTIFFS have filed with this Court a Stipulation for Value and Costs, and this Court having made and entered an Order directing that a monition issue against all persons and/or entities claiming any loss, damage or injury arising out of, resulting from, or in any manner connected with, the aforesaid Fire, admonishing them to file their claims with the Clerk of this Court at the United States Courthouse, and to serve a copy thereof on the attorneys for PLAINTIFFS;

NOW, THEREFORE, PLAINTIFFS ARE HEREBY COMMANDED to notify and admonish all persons asserting claims with respect to that which the Complaint herein seeks exoneration from, or limitation of, liability for, to appear and answer the allegations of the Complaint, and to file their claims, with the Clerk of the Court, on or before the February 1, 2020.

PLAINTIFFS ARE FURTHER COMMANDED to publish, or cause to be published, in The Los Angeles Times, a newspaper of general circulation printed and published in Los Angeles County, California, a notice in substantially the form

1 of the NOTICE OF COMPLAINT FOR EXONERATION FROM, OR
2 LIMITATION OF, LIABILITY, once each week for four (4) successive weeks
3 prior to the date hereinabove fixed for the filing of claims.
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5 IT IS SO ORDERED, this ____ day of _____, 2019.
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7 UNITED STATES DISTRICT JUDGE
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