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8 Attorneys for Plaintiffs

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11 In the Matter of the Complaint of Truth ) NO. CV 19-7693 PA (MRWx)  
12 Aquatics, Inc. and Glen Richard Fritzier and )  
13 Dana Jeanne Fritzier, individually and as ) **ORDER DIRECTING**  
14 Trustees of the Fritzier Family Trust DTD ) **EXECUTION OF MONITION**  
15 7/27/92 as owners and/or owners pro hac vice ) **AND PUBLICATION OF**  
16 of the dive vessel CONCEPTION, Official ) **NOTICE**  
17 Number 638133, for Exoneration from or )  
18 Limitation of Liability )

19 TO: PLAINTIFFS TRUTH AQUATICS, INC., GLEN RICHARD  
20 FRITZLER AND DANA JEANNE FRITZLER, INDIVIDUALLY AND AS  
21 TRUSTEES OF THE FRITZLER FAMILY TRUST DTD 7/27/92;

22 WHEREAS, a Complaint was filed in the United States District Court for  
23 the Central District of California by Plaintiffs TRUTH AQUATICS, INC., GLEN  
24 RICHARD FRITZLER AND DANA JEANNE FRITZLER, INDIVIDUALLY  
25 AND AS TRUSTEES OF THE FRITZLER FAMILY TRUST DTD 7/27/92  
26 (hereinafter "PLAINTIFFS"), as owners and/or owners *pro hac vice* of the dive  
27 vessel CONCEPTION, Official Number 638133 (hereinafter "CONCEPTION"),  
28 for exoneration from, or limitation of, vessel owner's liability, pursuant to 46

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

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

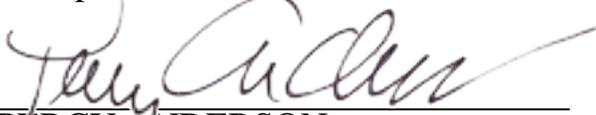
20 In issuing this Order, the Court recognizes that the Federal Rules of Civil  
21 Procedure, Supplemental Rules for Certain Admiralty and Maritime Claims  
22 (hereinafter “Supplemental Rules”) govern actions such as this and appear to limit  
23 the Court’s discretion. Specifically, Supplemental Rules F(3) and F(4) state that  
24 the Court “shall” issue the injunction, monition, and publication orders  
25 PLAINTIFFS have requested. In issuing the requested orders at this preliminary  
26 stage, the Court makes no determination as to the merits of PLAINTIFFS’ efforts  
27 to limit their liability pursuant to 46 U.S.C. § 30505.

28

1 NOW, THEREFORE, PLAINTIFFS ARE HEREBY COMMANDED to  
2 notify and admonish all persons asserting claims with respect to that which the  
3 Complaint herein seeks exoneration from, or limitation of, liability for, to appear  
4 and answer the allegations of the Complaint, and to file their claims, with the Clerk  
5 of the Court, on or before the July 1, 2020. The Court notes that, pursuant to  
6 Supplemental Rule F(4), the Court may enlarge this deadline “[for] cause shown.”

7 PLAINTIFFS ARE FURTHER COMMANDED to publish, or cause to be  
8 published, in The Los Angeles Times, a newspaper of general circulation printed  
9 and published in Los Angeles County, California, a notice in substantially the form  
10 of the NOTICE OF COMPLAINT FOR EXONERATION FROM, OR  
11 LIMITATION OF, LIABILITY, once each week for four (4) successive weeks  
12 beginning no later than October 10, 2019.

13  
14 IT IS SO ORDERED, this 11th day of September, 2019.

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16 \_\_\_\_\_  
17 PERCY ANDERSON  
18 UNITED STATES DISTRICT JUDGE

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