

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

Case No. 8: 23-cv-02890-SDM-UAM

IN THE MATTER OF:

PETITION OF FREEDOM MARINE
SALES LLC, as titled owner, and
FREEDOM BOAT CLUB LLC, as owner
pro hac vice of and for the M/V
TIMELESS, a 2023 Crownline E235XS,
hull identification number KIS89500C323,
her engines, tackle, and appurtenances,

Petitioners.

**ORDER ON AD INTERIM STIPULATION, ISSUANCE OF MONITION,
AND INJUNCTION**

The Petition having been filed herein on the 18th day of December, 2023, by
PETITION OF FREEDOM MARINE SALES LLC, as titled owner, and
FREEDOM BOAT CLUB LLC, as owner *Pro Hac Vice*, (“Petitioners”) of the M/V
TIMELESS, a 2023 Crownline E235XS, hull identification number KIS89500C323
(“Vessel”), claiming the benefits of exoneration from or limitation of liability, as
provided in 46 U.S.C. § 30501 *et seq.* and pursuant to Rule F of the Supplemental
Rules for Certain Admiralty and Maritime Claims for the Federal Rules of Civil
Procedure and Local Admiralty Rule F, for all losses, damages, injuries, deaths, or
destruction allegedly resulting from the incident that occurred on or about July 30,

2023, in the navigable waters near Holmes Beach, Manatee County, Florida, as further described in the Complaint for Limitation, and said Complaint also stating the alleged facts and circumstances on which such exoneration from or limitation of liability is claimed.

And Petitioners having deposited with the Court as security for the benefit of claimants, an Ad Interim Stipulation not less than or equal to the amount or value of their interest in the Vessel and pending freight, if any, as required by the rules of this Court and by the law;

IT IS ORDERED AND ADJUDGED that the Ad Interim Stipulation for the value of Petitioners' interest in the vessel in the principal amount of Thirty-Four Thousand Dollars and Zero Cents (\$34,000.00), executed on the 18th day of December, 2023, and filed herein by Petitioners, be accepted as Ad Interim Stipulation for the purpose of this action with Petitioners being subject to such increases in the amount of such *Ad Interim* Stipulation, together with adequate surety, as the Court may from time to time order according to the rules and practices of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that Petitioners and any claimant who may properly become a party hereto may contest the amount or value of Petitioners' interest in the Vessel as fixed in the Ad Interim Stipulation, subject to such increases or decreases in its amount, together with adequate security, as the Court may from time-to-time order according to the rules and practices of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that if the amount of the Ad Interim Stipulation is not contested by any claimant herein, the Stipulation and corresponding Letter of undertaking shall stand as a Stipulation for Value and an appraisal by a Commissioner will not be required.

NOW, THEREFORE, IT IS ORDERED that a Monition issue out of and under the seal of this Court against all persons or corporations claiming damages for any and all loss, destruction, damage, injuries, and/or death allegedly caused as a result of the occurrence described in the Complaint, to file their respective claims with the Clerk of this Court and to serve on the attorneys for Petitioners copies thereof **on or before February 12, 2024**, and that all persons or corporations so presenting claims and desiring to contest the allegations of the Complaint shall file an answer to the Complaint in this Court and shall serve on the attorneys for the Petitioners copies thereof, or be defaulted.

IT IS FURTHER ORDERED that public notice of said Monition be given by publication as required by Supplemental Rule F and the Local Admiralty Rules of the United States District Court for the Middle District of Florida once each week for four (4) successive weeks in in a newspaper of general circulation in the Manatee County area in accordance with Supplement Rule F and then not later than the date of the second weekly publication, a copy of said notice be mailed by Petitioners to every person or corporation known by Petitioners to have a claim against Petitioners arising out of the accident set forth in the Complaint.

IT IS FURTHER ORDERED that the commencement or further prosecution of any action, suit or proceeding in any court whatsoever, and the institution and prosecution of any suits, actions or legal proceedings, of any nature or description whatsoever, in any court whatsoever, except in these proceedings, in respect to any claim arising out of, or connected with the casualty set forth in the Complaint herein, be and the same are hereby STAYED AND RESTRAINED until the final determination of this proceeding.

IT IS FINALLY ORDERED that the service of this order as a restraining order in this District may be made in the usual manner as in any other district of the United States by delivery by the Marshal of the United States for such district of a certified copy of this order on the person or persons to be restrained or to their respective attorneys or, alternatively, by mailing a conformed copy of it to the person or persons to be restrained or to their respective attorney.

DONE AND ORDERED in Tampa, Florida on this 27th day of December, 2023.



ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record