

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

LOUIS LATULIPPE,

Petitioner,

v.

Case No: 6:24-cv-872-JSS-RMN

ALL POTENTIAL CLAIMANTS,

Claimant.

_____ /

**ORDER APPROVING PETITIONER'S LETTER OF UNDERTAKING AND
DIRECTING ISSUANCE OF MONITION AND INJUNCTION**

Petitioner filed a Petition for Exoneration from or Limitation of Liability (Dkt. 1) and Motion to Approve Letter of Undertaking and Enter Monition and Injunction (Dkt. 2). Petitioner filed his Petitioner for Exoneration from or Limitation of Liability regarding a 2015 Hamant Airboats 15 bearing Hull Identification Number HAB00163A515, pursuant to 46 U.S.C. § 30505, et seq. and Supplemental Rule F, for injuries to another vessel's passengers allegedly caused by or resulting from an incident occurring on or about March 24, 2023, on the navigable waters of the United States on Lake Washington near Melbourne Florida. (Dkt. 1.)

The Petitioner states that the value of Petitioner's interest in the Vessel does not exceed \$50,000 and there was no pending freight. (*Id.* ¶ 19.) Petitioner has deposited with the Court a Letter of Undertaking by Markel American Insurance Company, as surety, as security for the benefit of claimants in the amount of \$50,000, with interest

at 6 percent per annum from March 24, 2023, and costs, as required by the rules of this Court and by the law. (Dkt. 1-3.)

Accordingly and upon consideration:

1. Petitioner's Motion to Approve Letter of Undertaking and Enter Monition and Injunction (Dkt. 2) is **GRANTED**.
2. The Letter of Undertaking (Dkt. 1-3) deposited by Petitioner with the court for the benefit of claimants, in the sum of \$50,000.00, with interest and costs, as security for the amount or value of Petitioner's interest in the Vessel is hereby approved.
3. This court, upon motion, shall cause due appraisalment of such value and may thereupon order the said security increased or reduced to carry out the provisions of 46 U.S.C. § 30501 *et seq.* for personal injuries, property damage, or any other claims resulting from the incident that occurred on or about March 24, 2023, referred to in the Petition.
4. A notice shall be issued by the Clerk of the Court to all persons asserting claims with respect to which the Complaint seeks exoneration or limitation, admonishing them to file their respective claims with the Clerk of the Court in writing, and to serve on the attorneys for the Petitioner a copy thereof on or before July 15, 2024, or be defaulted, and if any claimant desires to contest either the Petitioner's right to exoneration from or the right to limitation of liability, any such claimant(s) shall file and serve on Petitioner's attorney an answer to the

Complaint, on or before said date, unless his claim has included an answer to the Complaint, so designated, or be defaulted.

5. Publication of the aforesaid notice in the form required by Supplemental Rule F(4) be published in a newspaper of general circulation in the Brevard County area once a week for four (4) successive weeks prior to the date fixed for the filing of claims, and copies of the notice shall also be mailed in accordance with Supplemental Rule F.
6. The commencement or further prosecution of any and all actions or proceedings against Petitioner, the Vessel, or other property of Petitioner with respect to any claims for which Petitioner seeks exoneration from or limitation of liability herein, including any claim arising out of, or incident to, or connected with any loss, damage, injury, death or destruction, more fully described in the Petition, be and they are hereby restrained, stayed and enjoined until the hearing and determination of this action.
7. Service of this Order as a restraining order may be made through the Post Office by mailing a confirmed copy thereof to the person or persons to be restrained, or to their respective attorneys, or alternatively, by hand delivery.

ORDERED in Orlando, Florida, on May 15, 2024.



JULIE S. SNEED
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of Record