



U.S. Department of Justice

United States Marshals Service

Eastern District of Louisiana

New Orleans, LA 70130

CIVIL ACTION # _____

VS

STIPULATIONS

The following stipulations must be adhered to in connection with all seizures requested of the United States Marshal for the Eastern District of Louisiana.

1. Pursuant to 28 USC 1921, this office will require a minimum deposit of \$10,000.00 for all seizure cases involving any motor vessel, cargo, bunkers, and/or fuel that is seized without benefit of a substitute custodian. The deposit covers guard service, service fees, and insurance fees relating to the seizure. It is required that a balance equivalent to five (5) days worth of charges be on hand at all times; therefore, when funds run below that requirement you will receive a phone call for an additional \$10,000.00 deposit. In the event the seizing attorney fails to meet this obligation when requested, the United States Marshal may petition the U.S. District Court for a dismissal order. U.S. Marshals Service policy states that if more than one plaintiff is seizing a vessel or property the "initial" plaintiff will be made responsible for making the payments. Due to the complexity of the task and this district's workload, we cannot proportion payments amongst plaintiffs. The parties should work this out among themselves. For plaintiffs who file subsequent seizures against a vessel or property a deposit of \$3,000.00 will be required. In the event water transportation is necessary to reach a vessel, the initiating party is responsible for payment of such transportation costs. Therefore, the attorney can be expected to receive bills for such on their client's behalf.

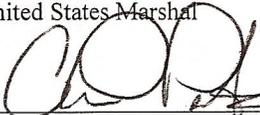
2. The amount of deposit required involving a seizure where a substitute custodian is utilized will be a minimum of \$3,000.00

3. Effective August 1, 2008, contract guard service fees will be charged at a rate of \$30.00 per hour, with a minimum charge of 24 hours at a cost of \$720.00. The minimum charge will be applied in the event our contract guard service is utilized and dispatched to the location of the vessel or property and the seizure is canceled. If a vessel is released beyond the normal business hours of 5:00 p.m., or the contract guard service has not been removed from the vessel before that time, billing will be calculated through 8:00 a.m. the following business day – i.e., if a vessel is released or guard service removed from the vessel after 5:00 p.m. on a Friday the billing will be calculated through 8:00 a.m. Monday. If the normal billing day should fall on a holiday, billing will carry through until 8:00 a.m. the day after the holiday.

4. In the event the vessel is involved in any bankruptcy proceeding, it is incumbent upon the seizing attorney to immediately notify this office at (504) 589-3174.

5. The refund of your deposit will take approximately 6 to 8 weeks to process after release of the seizure. We must wait for insurance cost calculations, guard, and launch service (when applicable) invoices to gain an accurate cost of fees incurred by our office on your behalf. Please be patient during this process as partial refunds will not be extended.

Genny May
United States Marshal

By: 
Christopher Peck
Acting Supervisory Deputy U.S. Marshal

Seizing attorney

Date