

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

In re:

RMS TITANIC, INC., *et al.*,<sup>1</sup>

Debtors.

---

Case No. 3:16-bk-02230-PMG  
Chapter 11 (Jointly Administered)

RMS TITANIC, INC.,

Plaintiff,

Adv. Pro. No. 3:16-ap-00183-PMG

vs.

FRENCH REPUBLIC  
a/k/a REPUBLIC OF FRANCE,

Defendant.

---

**MOTION FOR CLERK'S DEFAULT AGAINST  
DEFENDANT FRENCH REPUBLIC A/K/A REPUBLIC OF FRANCE**

Plaintiff RMS Titanic, Inc. ("Plaintiff"), by and through its undersigned counsel, pursuant to Local Rule 7001-1(e) moves for entry of a Clerk's Default by this Court against Defendant French Republic a/k/a Republic of France ("Defendant") for failure to enter an answer or pleading within the time required to Plaintiff's Complaint, and states.

---

<sup>1</sup> The Debtors in the chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number include: RMS Titanic, Inc. (3162); Premier Exhibitions, Inc. (4922); Premier Exhibitions Management, LLC (3101); Arts and Exhibitions International, LLC (3101); Premier Exhibitions International, LLC (5075); Premier Exhibitions NYC, Inc. (9246); Premier Merchandising, LLC (3867), and Dinosaurs Unearthed Corp. (7309). The Debtors' service address is 3045 Kingston Court, Suite I, Peachtree Corners, Georgia 30071.

1. Defendant was served with Plaintiff's Complaint on August 31, 2016 via post mail. As such, a response was due on September 19, 2016. A copy of the Declaration of Joanna Sirour regarding service of the Complaint is attached hereto as Exhibit A.

2. At the time of the filing of this Motion for Clerk's Default, the undersigned attorney is not in receipt of an answer or other responsive pleading to Plaintiff's Complaint in this action.

WHEREFORE, Plaintiff RMS Titanic, Inc. requests that this Court enter an Order Granting Clerk's Default against Defendant French Republic a/k/a Republic of France, and for such other relief as this Court deems just and proper.

NELSON MULLINS RILEY  
& SCARBOROUGH LLP

By           /s/ Daniel F. Blanks            
Daniel F. Blanks (FL Bar No. 88957)  
Lee D. Wedekind, III (FL Bar No. 670588)  
50 N. Laura Street, Suite 4100  
Jacksonville, Florida 32202  
(904) 665-3656 (direct)  
(904) 665-3699 (fax)  
[daniel.blanks@nelsonmullins.com](mailto:daniel.blanks@nelsonmullins.com)  
[lee.wedekind@nelsonmullins.com](mailto:lee.wedekind@nelsonmullins.com)

*Counsel for Plaintiff RMS Titanic, Inc.*

**U.S. BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA**

In re: Bankruptcy Case No. 3:16-bk-02230-PMG

**RMS TITANIC, INC.**  
Debtor

Adversary Proceeding No. 3:16-ap-00183-PMG

**RMS TITANIC, INC.**  
Plaintiff

v.

**FRENCH REPUBLIC A/K/A REPUBLIC OF FRANCE**  
Defendant

---

**DECLARATION OF JOANNA SIROUR**

I, Joanna Sirour, do hereby declare under penalty of perjury of the laws of the United States of America, that the following is true and correct and that I could competently testify, if called, that:

1. I am over the age of 18 years, a resident of Guérard, France and am not a party to the within action. I am the process server who served the FRENCH REPUBLIC a/k/a REPUBLIC OF FRANCE in the above-captioned matter. I regularly serve legal documents in France and I am authorized to do so. I can competently testify to the facts stated and declared within.
2. On August 23, 2016, I received a process service assignment related to the above-captioned case with instructions to serve the FRENCH REPUBLIC a/k/a REPUBLIC OF FRANCE (“Defendant”). The documents to be served were a Summons in an Adversary Proceeding, Adversary Complaint, Local Rule 7001-1, and Exhibits A-D.

3. On August 31, 2016, I attempted to serve the documents listed in paragraph 2 above on the Defendant at Ministre de l'Environnement, de l'Énergir et de la Mer ("Ministre"), Tour Pascal A et B, Tour Sequoia, 92055 La Défense CEDEX, France.
4. The authorities at the Ministre refused to accept service by stating that the official policy of the Ministre is for service to be made only by post mail. On August 31, 2016, I mailed the documents described in paragraph 2 above to the Ministre at the address stated in paragraph 3 above.
5. I am fully familiar with Federal Rule 4 requirements regarding service outside the United States.

I declare, under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Dated: September 6, 2016

  
\_\_\_\_\_  
Joanna Sirour

CERTIFICATE OF SERVICE

I, Joanna Sincin (name), certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify that the service of this summons and a copy of the complaint and a copy of Local Rule 7001-1 was made 31.08.16 by: (date)

Mail Service: Regular, first class United States mail, postage fully pre-paid, addressed to:

Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:

Residence Service: By leaving the process with the following adult at:

Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at: MINISTERE ENVIRONNEMENT  
TOUR PASCAL A et B - TOUR SEQUIA  
92 055 LA DEFENSE Cedex - FRANCE

Publication: The defendant was served as follows: [Describe briefly]

State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_ as follows: [Describe briefly] (name of state)

Under penalty of perjury, I declare that the foregoing is true and correct.

31.08.2016  
Date

[Signature]  
Signature

Print Name	<u>Sincin Joanna</u>		
Business Address	<u>BBIT INTERNATIONAL</u> <u>25 RUE DE PIEROL</u>		
City	<u>GUERARD</u>	State	<u>-</u>
Zip	<u>77580</u>		

**U.S. Bankruptcy Court  
Middle District of Florida**

In re:  
RMS TITANIC, INC.  
Debtor

Bankruptcy Case No. 3:16-bk-02230-PMG

RMS TITANIC, INC.  
Plaintiff

Adversary Proceeding No. 3:16-ap-00183-PMG

v.  
FRENCH REPUBLIC A/K/A REPUBLIC OF FRANCE  
Defendant

***SUMMONS IN AN ADVERSARY PROCEEDING***

**YOU ARE SUMMONED** and required to submit a motion or answer to complaint which is attached to this summons to the Clerk of the Bankruptcy Court within 30 days from the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days of issuance.

**Address of Clerk**

Clerk, U.S. Bankruptcy Court  
Middle District of Florida  
300 North Hogan Street Suite 3-150  
Jacksonville, FL 32202

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

**Name and Address of Plaintiff's Attorney**

Daniel F Blanks  
50 North Laura Street, Suite 4100  
Jacksonville, FL 32202

If you make a motion, your time to answer is governed by Federal Rule of Bankruptcy Procedure 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**



*Lee Ann Bennett*

**\*\*\* Important Notice \*\*\***

Clerk, U.S. Bankruptcy Court

The enclosed Certificate of Service must be filed with the court along with a copy of this summons after service has been made on the parties.