

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
Jacksonville Division
www.flmb.uscourts.gov

In re:

Chapter 11

RMS TITANIC, INC. *et al.*

Case No. 3:16-bk-002230-PMG

Debtors /

Jointly Administered

OFFICIAL COMMITTEE OF EQUITY
SECURITY HOLDERS OF PREMIER
EXHIBITIONS, INC.,

Adv. Case No.: 18-ap-00064-PMG

Plaintiff,

MARK A. SELLERS, DOUGLAS
BANKER, RICHARD KRANIAK, JACK
H. JACOBS, DAOPING BAO, SELLERS
CAPITAL, LLC, and SELLERS CAPITAL
MASTER FUND, LTD.,

Defendants. /

**PLAINTIFF'S EX PARTE MOTION TO STAY AND SCHEDULE A STATUS
CONFERENCE ON NEGATIVE NOTICE**

NOTICE OF OPPORTUNITY TO
OBJECT AND REQUEST FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider the relief requested in this paper without further notice or hearing unless a party in interest files a response within fourteen (14) days from the date set forth on the attached proof of service, plus an additional three days for service if any party was served by U.S. Mail.

If you object to the relief requested in this paper, you must file a response with the Clerk of the Court at 300 North Hogan Street, Suite 3-150, Jacksonville, Florida 32202, and serve a copy on the movant's attorney, Robert P. Charbonneau, 501 Brickell Key Drive, Suite 300, Miami, Florida 33131, and any other appropriate persons within the time allowed. If you file and serve a response within the time permitted, the Court will either schedule and notify you of a hearing or consider the response and grant or deny the relief requested without a hearing.



If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, will proceed to consider the paper without further notice of hearing, and may grant the relief requested.

Plaintiff, the Official Committee of Equity Security Holders of Premier Exhibitions, Inc. (the “Equity Committee” or “Plaintiff”), by and through the undersigned counsel, and pursuant to Local Rule 7001-1(k), Local Rule 2002-4, the Court’s May 25, 2018 *Order Granting Emergency Motion of the Official Committee of Equity Security Holders for Entry of an Order Granting Derivative Standing and Authority to Prosecute and Settle Certain Claims on Behalf of the Debtors’ Estates* (the “Order”) [D.E. 1036 in Case No. 3:16-bk-02230-PMG (the “Bankruptcy Case”)], and other applicable law, moves the Court on an *ex parte* basis to schedule a status conference and stay this proceeding until after the status conference. In support, the Equity Committee states as follows:

1. The Equity Committee initiated this proceeding (the “Adversary Proceeding”) by filing its *Adversary Complaint and Demand for Jury Trial* [D.E. 1] on June 4, 2018, pursuant to the derivative and exclusive standing conferred upon it by the Court in the Order.

2. The Order provides that the Court “shall schedule a status conference approximately sixty (60) days from the date the Adversary Proceeding is commenced” and that the Adversary Proceeding “shall be stayed” in the interim, except for the following:

a. the Equity Committee’s seeking entry of an *ex parte* order holding the Adversary Proceeding in abeyance pending a status conference to be separately scheduled and noticed by the Court (the “Ex Parte Order”);

b. the Equity Committee’s effectuating service of a complaint in the Adversary Proceeding and the Ex Parte Order; and

c. the Equity Committee’s engaging in settlement negotiations by the parties in the Adversary Proceeding.

[D.E. 1036, ¶¶3, 5, in the Bankruptcy Case.]

WHEREFORE, the Plaintiff respectfully requests this Court to schedule a status conference approximately sixty (60) days from June 4, 2018, the date this Adversary Proceeding was initiated, to stay this Adversary Proceeding in the interim except with respect to the activities specifically excluded in the Order, and to grant the Plaintiff such further and additional relief as the Court deems just and appropriate.

Respectfully submitted,

AGENTIS, PLLC

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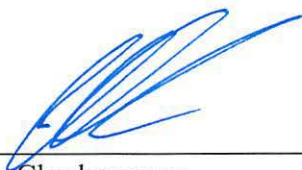
Florida Bar No.: 92868

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by transmission of Notices of Electronic Filing generated by CM/ECF to those parties registered to receive electronic notices of filing in this case and via electronic mail upon the parties listed on the below Service List, on June 15TH, 2018.

By: _____


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Service List

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