

ORDERED.

Dated: July 07, 2017



Paul M. Glenn
United States Bankruptcy Judge

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

In re:

RMS TITANIC, INC., *et al.*,¹

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.

ORDER SCHEDULING FINAL EVIDENTIARY HEARING

A pretrial hearing was held on June 22, 2017, at 1:30 p.m. pursuant to the Court's Order on Plaintiff's Amended Motion for Entry of Clerk's Default and

¹ 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.

Amended Motion for Default Judgment against Defendant French Republic a/k/a Republic of France [D.E. 52]. At the pretrial conference, Plaintiff requested authority to utilize affidavits or declarations in lieu of live testimony at the trial of this adversary proceeding. For the reasons stated on the record, the Court is inclined to permit the use of such affidavits and declarations provided there are no objections thereto. It is therefore ORDERED:

1. A final one-hour evidentiary hearing is scheduled for August
17, 2017 at 9 : 45 a.m. (the “Final Evidentiary Hearing”) in Courtroom
4A, United States Courthouse, 300 North Hogan Street, Jacksonville, Florida 32202.

2. Within twenty-one (21) days, Plaintiff shall file any affidavits in support of its Motion for Default Judgment against Defendant French Republic a/k/a Republic of France which it intends to rely upon at Final Evidentiary Hearing.

3. Defendant or any other party to this adversary proceeding (each a “Party” and collectively, the “Parties”) shall file any objections to the use or admission of the affidavits at least 14 days prior to the Final Evidentiary Hearing. The failure to file a written objection to the use or admissibility of Plaintiff’s affidavits or declarations will constitute a waiver of any objection to their admissibility.

4. In the event a written objection to the use of affidavits in lieu of live testimony is filed by a Party, the Court will reschedule a half-day trial to consider this matter.

5. Witness List. The Parties shall exchange names and addresses of witnesses within 14 days of the date of entry of this Order.

6. Exhibits. Parties shall exchange exhibits no less than 7 days before the date set for the Final Evidentiary Hearing. All exhibits the Parties intend to introduce into evidence must be pre-marked and listed in accordance with Local Rule 9070-1 and Administrative Order FLMB-2015-6. Unless written objection to authenticity is filed with the Court no later than 48 hours before the Final Evidentiary Hearing, the Court will admit copies of the exhibits in lieu of the originals.

7. Discovery Cutoff. All discovery shall be completed by 7 days before the date set for the Final Evidentiary Hearing.

8. Discovery Disputes. The Parties shall first confer in good faith to resolve any discovery disputes. If unsuccessful, any Party may request a telephone conference with the Court so that the Court may render an informal, preliminary ruling on the discovery dispute, without prejudice to the right of any Party to file a formal motion.

9. Appropriate Attire. You are reminded that Local Rule 5072-1(b)(16) requires that all persons appearing in court should dress in appropriate business attire consistent with their financial abilities. Among other things, a coat and tie are appropriate for a man; a dress or pant suit is appropriate for a woman.

10. Due to heightened security procedures, persons must present photo identification to enter the courthouse and arrive early.

11. Plaintiff is directed to send a copy of this Order to the French Republic in the manner prescribed for service in 28 U.S.C. 1608(e).

12. This Order shall be immediately effective and enforceable upon its entry.

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Attorney Daniel F. Blanks is directed to serve a copy of this Order on all non-CM/ECF interested parties and file a proof of service within 3 days of entry of the Order.

~#4815-9708-2955~