

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO: 21-cv-11841

**IN THE MATTER OF
RYAN DENVER AS OWNER OF
M/V MAKE IT GO AWAY,
FOR EXONERATION FROM OR
LIMITATION OF LIABILITY**

IN ADMIRALTY

**ORDER DIRECTING ISSUANCE OF NOTICE
AND ENJOINING FURTHER PROSECUTION**

A Limitation Complaint has been filed by Limitation Plaintiff Ryan Denver, as owner of the M/V MAKE IT GO AWAY, USCG No. 1308302, for Exoneration from or Limitation of Liability pursuant to [46 U.S.C. §§ 30501-12](#) and Supplemental Rule F of the Federal Rules of Civil Procedure for any injuries, damages, or losses arising out of or resulting from an incident on July 17, 2021, on navigable waters of the Boston, MA. (“the Incident”).

The Limitation Complaint alleges that the value of Limitation Plaintiff’s interest in his vessel after the Incident was \$50,000.00, with no pending freight, as stated in the Declaration of Jonathan K. Klopman.

Limitation Plaintiff has deposited with the Court for the benefit of Claimants, a sum of FIFTY THOUSAND AND FIVE HUNDRED DOLLARS (\$50,500.00), which represents the sum of (a) Limitation Plaintiff’s interest in the vessel after the Incident (\$50,000.00) and (b) Limitation Plaintiff’s statutory obligation to give costs (\$500.00), pursuant to Supplemental Rule F(1).

Limitation Plaintiff has also filed an *Ex Parte* Motion for Issuance of Injunction pursuant to Supplemental Rule F(3) of the Federal Rules of Civil Procedure for an order ceasing and

enjoining all lawsuits, causes of action, and claims against Limitation Plaintiff and his property arising from the Incident, except in this civil action.

THUS IT IS HEREBY ORDERED:

1. That the amount deposited by Limitation Plaintiff with the Court in the total amount of \$50,500.00, representing (a) the dollar amount of Limitation Plaintiff's interest in the vessel after the Incident, or \$50,000.00, plus (b) costs of \$500.00 that Limitation Plaintiff is statutorily obligated to provide, and Limitation Plaintiff is hereby deemed to comply with Supplemental Rule F(1) of the Federal Rules of Civil Procedure;

2. That pursuant to Supplemental Rule F(3) of the Federal Rules of Civil Procedure, any and all lawsuits, causes of action, and claims against Limitation Plaintiff and his property arising from the Incident, except in this civil action, shall cease and are enjoined;

3. That service of this injunctive order may be made by mailing a copy to the persons and/or entities to be restrained, or to their respective attorneys, or alternatively by electronic mail;

4. That a notice be issued by the Deputy Clerk in form and substance consistent with the attached **Exhibit A**, to all persons asserting claims with respect to the Incident, admonishing them pursuant to Supplemental Rule F(4) of the Federal Rules of Civil Procedure to file their respective claims with the Clerk of the United States District Court for the District of Massachusetts, Eastern Division, and to serve a copy on Limitation Plaintiff's attorneys, Farrell Smith O'Connell, 27 Congress Street, Suite 109, Salem, MA 01970, on or before **December 31, 2021** or be defaulted;

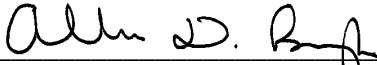
5. That the notice shall be published in *The Boston Globe* once a week for four [4] successive weeks prior to the date fixed for filing claims, as provided in Supplemental Rule F(4)

of the Federal Rules of Civil Procedure, and Limitation Plaintiff shall also mail copies of the notice in accordance with Supplemental Rule F(4); and

6. That the Court may order the security for value to be increased if it finds that such an order is necessary as provided by Supplemental Rule F(7) of the Federal Rules of Civil Procedure.

SO ORDERED.

November 16, 2021



ALLISON D. BURROUGHS
U.S. DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO:

**IN THE MATTER OF
RYAN DENVER AS OWNER OF
M/V MAKE IT GO AWAY,
FOR EXONERATION FROM OR
LIMITATION OF LIABILITY**

IN ADMIRALTY

**NOTICE OF COMPLAINT FOR EXONERATION
FROM OR LIMITATION OF LIABILITY**

NOTICE is hereby given that Limitation Plaintiff Ryan Denver, as owner of the M/V MAKE IT GO AWAY, USCG No. 1308302, has filed his Complaint for Exoneration from or Limitation of Liability pursuant to [46 U.S.C. §§ 30501-12](#) and Supplemental Rule F of the Federal Rules of Civil Procedure for any injuries, damages, or losses arising out of or resulting from an incident on July 17, 2021 on navigable waters of the United States in Boston Harbor, MA as more fully described in the Limitation Complaint.

All persons having such Claims must file them, under oath, as provided by Supplemental Rules for Certain Admiralty and Maritime Claims Rule F(4), with the Clerk of this Honorable Court at the United States District Court, 1 Courthouse Way Boston, Massachusetts 02210, and serve on or mail to the Limitation Plaintiff's attorneys, Farrell Smith O'Connell, 27 Congress Street, Suite 109, Salem, MA 01970, a copy thereof, at or before 5:00 P.M. on or before **December 31, 2021**, or be defaulted. Personal attendance is not required.

If any Claimant desires to contest either the right to Exoneration from or the right to Limitation of Liability, he/she shall file and serve on the attorneys for the Limitation Plaintiff an Answer to the Complaint on or before the aforesaid date unless his/her Claim has included an answer, so designated, or be defaulted.

Dated: _____

Deputy Clerk