

THE CHRONOLOGY BELOW WAS INCLUDED AS PART OF AN AFFIDAVIT IN THE "BLACK SWAN" CASE. TO READ THE ENTIRE AFFIDAVIT, GO TO WWW.SHIPWRECK.NET/pdf/affidavitJUL07.pdf



EXHIBIT E

TO THE

SWORN STATEMENT

**Chronology of All Exchanges Between
Odyssey Marine Exploration Inc ("OME")**

and

Spain July 1998 - June 2007

ANEXO E

AL

DECLARACION JURADA

Cronología de Todos los Intercambios Entre

Odyssey Marine Exploration Inc ("OME")

y

España julio 1998 - junio 2007

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**CHRONOLOGY OF ALL EXCHANGES BETWEEN ODYSSEY
MARINE EXPLORATION INC (“OME”) AND SPAIN (including the
SPANISH MINISTRY OF FOREIGN AFFAIRS; the MINISTRY OF
CULTURE; the GUARDIA CIVIL AND THE JUNTA DE ANDALUCIA)
JULY 1998 - JUNE 2007**

16 July 1998	OME begins its operations at sea to search for the wreck of the SUSSEX after first alerting UK authorities that the company will be engaged in a search for the British warship in the waters off Gibraltar. A letter is given to its agent in Gibraltar to be provided to any authority in case of an inspection of Odyssey’s research vessel. This document expresses OME’s intention to provide any information that may be requested and provides contact information for OME’s attorneys. The letter also invites the authorities to inspect the vessel.
22 July 1998	The Spanish General Directorate of the Merchant Marine (“DGMM”) through Mr. Julián Abril, contacts OME attorneys to inform them that the company has no authorisation to carry out activities in the area in question. DGMM says that the file will be sent to the Ministry of Foreign Affairs (“MFA”).
24 July 1998	OME attorneys contact Mrs. Luisa Huidobro of the Department of Economic International Relations of the MFA to determine the status of the file and to offer collaboration with the Spanish authorities. Mrs. Huidobro states that there is no authorisation to work in the area, which is considered to be in Spanish jurisdictional waters by the MFA. She states that authorisation for searching for the Sussex must be requested by the US Embassy in Madrid as soon as possible and that OME must inform SASEMAR about its activities in the area.
27 July 1998	A fax is sent by OME attorneys to Mr. Jesús María Uribe (Director of Operations of SASEMAR) following MFA instructions.
22 August 1998	OME sends a fax to SASEMAR in Tarifa specifying the schedule and the location of its search operations.
8 September 1998	Mr. Ignacio de Frutos of the Spanish Ministry of Defence contacts OME attorneys and claims that the company is operating in Spanish waters.
9 September 1998	OME attorneys contact the MFA in response to the allegations made by the Ministry of Defence and inform the MFA that OME is not operating in Spanish waters.
14 September 1998	OME attorneys send an urgent fax to the General Director of Foreign Affairs of the MFA informing him that the company has started the authorisation process through the US Embassy in Madrid in the event that search operations in the area extend into Spanish territorial waters.
16 September 1998	OME sends a fax to the Director General of Foreign Policy for North America and Europe (MFA) stating again that OME has initiated the authorisation process through the US Embassy in

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	Madrid in case the company extends its search for the Sussex into Spanish waters. Geographical coordinates and information about the operation are attached to the fax. OME also states its intention to comply with any conditions that Spain establishes on OME's operations in Spanish territorial waters. Finally, OME offers to provide data relating to the location of any warships of Spanish origin that OME locates in Spanish territorial waters stating that OME respects "...the Spanish government's sovereign rights over her sunken warships and fully intend to honour your wishes in this respect."
18 September 1998	OME sends the same fax to the Director General of Foreign Policy for North America and Europe (MFA) attaching a nautical chart of the area of exploration established by the Ministry of Defence of the United Kingdom. OME also states in this fax that the Tarifa Maritime Control Centre is informed every time the vessel leaves the port.
23 October 1998	OME, in a demonstration of goodwill and in order to maintain good relations between the parties, agrees to leave the area and requests a meeting with the MFA.
10 November 1998	OME attorneys contact the Spanish Naval Museum and offer to have the chief of the OME exploration provide a presentation on OME search operations at a time that is convenient for the representatives of the museum.
11 November 1998	At the request of the MFA and following Royal Decree 799/81, OME provides the Ministry with a report on OME's activities in the area. OME also offers to have an expert designated by Spain embark on Odyssey's research vessel and take notes on the activities that are carried out (this document is dated November 1, 1998). The document is also sent to Mr. Blumberg at the US Department of State.
29 November 1998	Meeting at the MFA between Greg Stemm and Mr. Cebrían of the MFA. The MFA verbally authorizes OME to return to the sea. This is confirmed by the US Embassy.
11 December 1998	OME sends a collaboration proposal to the Naval Museum in Madrid. The proposal again reiterates OME's acknowledgement of Spain's right to lay claim to her sovereign immune warships and offers to help Spain recover these vessels through the use of OME's technology and experience with deep ocean expeditions. Specifically, OME offers a joint expedition between the Spanish Naval Museum, the British Royal Naval Museum and OME to search for the Baleares and the Ark Royal with all artifacts recovered becoming the property of the two museums. OME further offers a joint expedition with the Spanish government and the Spanish Naval Museum to undertake the search and excavation of colonial warships lost in the New World. All artefacts obtained in the expedition would become the property of Spain or the Spanish Naval Museum. Finally OME offers to join the Spanish naval museum in an expedition pursuing the archaeological excavation of ancient shipwrecks of

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	Phoenician, Roman or other ancient origin which could be connected to trade with settlements in the Iberian Peninsula. OME offers to fund this expedition entirely and to provide recovered artefacts to the Spanish Naval Museum for display and study.
15 December 1998	The US State Department receives a Note Verbal request from the MFA for information about OME operations. (This information had already been provided by OME on 11 November 1998).
26 January 1999	The MFA confirms to OME attorneys that they contacted the Archaeological Institute of Cartagena and have decided to authorise exploratory operations by OME, but notes that the file has also been given to the Ministry of Culture for approval of the authorisation.
3 February 1999	OME attorneys inform OME that the Ministry of Culture did not approve the authorisation of exploratory operations to identify the SUSSEX. The reason for denial of the authorisation was the alleged lack of documentation regarding OME's work in the area.
8 March 1999	Mr. Rafael Conde (Deputy Chief of Mission at Spanish embassy in the US) contacts OME directly via fax. The fax states that OME attorneys should contact the MFA to clarify the situation.
12 April 1999	OME attorneys send a letter to the General Directorate of Fine Arts (Ministry of Culture), responding once more to the doubts expressed by the administration and attaching a nautical chart of the area of exploration.
3 May 1999	OME receives a communication from the Ministry of Culture dated April 20, 1998 authorising the project presented by OME, and stating that the project must be in accordance with Spanish Historical Heritage Law 16/85. In particular the following conditions must be met in order to continue the project: 1.- The authorisation is only for underwater, archaeological, exploratory work. 2.- The Ministry of Culture must be notified of any other finds besides the HMS Sussex. 3.- Area limit: 36° 05' North – 05° 05' West in a semicircular area North from 36° 07' North. 4.- Time limit is 90 days starting from the notification 5.- Resource materials are those noted in the application. Any change requires authorisation by the Ministry of Culture. 6.- The same requirements as in point 5 for the crew. 7.- This authorisation is not related to recovery work. 8.- All scientific and archaeological information must be passed on to the administration. 9.- A member of the Spanish navy will be on board. 10.- This authorisation is not a substitute for any other required authorisations. 11.- Title V of Spanish Historical Heritage Law 16/85 must be respected.
13 May 1999	OME sends a fax to the MFA attaching the authorisation of the Ministry of Culture.
20 May 1999	OME sends a fax to the Naval Museum attaching the

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	authorisation of the Ministry of Culture.
26 May 1999	OME sends a fax to the Naval Museum asking for the names of the members of the Navy that will be on board. The fax also provides the date that OME will resume operations.
15 June 1999	OME sends a fax to the Ministry of Culture to request an extension of the start of the 90 days. OME attorneys again attempt to obtain information regarding which experts from the Ministry of Culture will be appointed to be on board OME's ship.
15 June 1999	OME sends another fax to the Naval Museum regarding the experts.
18 June 1999	The Ministry of Culture authorises the 90 day extension for OME.
21 June 1999	The Naval Museum contacts OME attorneys to authorize OME to start the operations without experts. It also confirms that it will organize a meeting between the Naval Museum, a high ranking official of the office of the Chief of Defence and OME.
21 June 1999	OME attorneys send a letter to the Ministry of Culture correcting an error in the dates listed in the request for an extension.
26 June 1999	The Ministry of Defence sends a fax listing the names of the representatives of the Navy that must supervise the work on board Odyssey's ship.
30 June 1999	OME requests a new extension of the operations authorisation from the MAE.
2 July 1999	The Ministry of Culture authorises the extension request.
23 July 1999	The Navy observers come on board Odyssey's ship.
14 September 1999	OME attorneys send a letter to the US Embassy in Madrid, dated September 1 st , 1999. In the letter, OME requests the US Embassy to send an attached letter to the MFA which includes a detailed report on the 1 st phase of the authorised operations in relation to the SUSSEX.
21 September 1999	The US Embassy contacts OME attorneys to say that the MFA cannot begin the process of authorisation of the scientific phase of the operation until data on the project is sent to the MFA via Note Verbal. OME sends a fax to the MFA stating its confusion since the information regarding the second scientific stage was already included in the project presented. On the same date the MFA informs the US Embassy that in order to authorise the new phase, and to issue a new permit, the US Embassy must issue a Note Verbal which must include all of the details of the project with coordinates and characteristics of the ship.
6 October 1999	OME attorneys send a fax to the Naval Museum attaching a copy of the report that OME submitted to the MFA.
10 November 1999	OME informs Mr. José Rodríguez Spiteri, Director General of Exterior Politics for North America and Europe (MFA) of its intention to use the research vessel MINIBEX and providing the characteristics of the vessel.

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12 November 1999	OME notifies Mrs. María Bassols (MFA) of the details of the vessel.
17 December 1999	OME attorneys receive a fax from MFA setting a meeting for the 3 rd of January 2000.
21 December 1999	OME attorneys confirm their presence at the meeting.
3 January 2000	Meeting at the MFA. In attendance: MFA, Ministry of Defence, Ministry of Transport, Ministry of Agriculture and Fishing, Ministry of Industry and Energy, Ministry of Culture, OME attorneys and John Morris of OME.
6 March 2000	The MFA gives formal authorisation for new operations.
26 May 2000	The Spanish Embassy in Washington gives authorisation to OME, running from this date until November 30, 2000. The authorisation is for two vessels, and OME is required to inform the Spanish Embassy of the port base and the calendar of work so that the Spanish Ministry of Defence can name the appropriate representatives. The activity is limited to 12 miles around the stated point.
4 July 2000	OME attorneys notify the appropriate authorities of the new project.
28 December 2000	OME requests a new authorisation from the Spanish Embassy in Washington for the next exploration.
10 April 2001	The Ministry of Culture gives authorisation for the recovery of some objects beginning on 11/4/01 and in accordance with Article 6 of Law 16/85. This authorisation, has 8 conditions: 1.- Only objects necessary for identification can be recovered. 2.- A time limit of 90 days begins with the notification, but there is a possibility of extension. 3.- Provisional storage of the finds. 4.- All scientific and archaeological information must be passed on to the administration. 5.- Navy representation must be on board. 6.- The Ministry reserves the right to also name archaeologists. 7.- This authorisation does not replace other authorisations required 8.- Law 16/85 must be adhered to.
18 April 2001	OME sends a letter to Mr. Agustín Muñoz (Spanish Embassy in Washington) stating its gratitude to the Embassy for its assistance in obtaining the grant of authorization by the Ministry of Culture. OME attaches a time schedule of the project in order to coordinate the boarding of the Spanish experts. OME requests that the Embassy forward the schedule to the appropriate Spanish authorities (as soon as possible as the project is scheduled to begin on April 19 th , 2001).
18 April 2001	OME sends by fax to the Control Centre of Tarifa, a copy of the authorization and a copy of the schedule of the project indicating that the project will begin on April 19 th , 2001.
19 April 2001	OME sends by fax to Major Diego San Martín, a copy of the schedule of the project in order to coordinate the boarding of the Spanish experts.
23 April 2001	The Spanish Embassy in Washington informs OME by fax that the project schedule had been sent to the Ministry of Culture and MFA and that the information complied with the

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	authorization by the Ministry of Culture dated April 10 th , 2001.
6 June 2001	<p>After completion of the survey authorised by the MFA and the MOC, the Junta of Andalucia orders the suspension of OME's work alleging:</p> <p>(i) That authorization was granted by a non competent authority. (ii) The authorization is not valid since it was granted for a concrete point and not for the 12 miles around this point.</p> <p>The basis for the finding is:</p> <p>(a) Art.6a of law 16/85 states that every region has jurisdiction over its heritage. (b) Art.6b says that the central administration is assumed to be mentioned in the Article. (c) Art. 52 Ley 1/91 of the Historical Heritage of Andalusia gives authority to the Ministry of Culture in those cases in Andalusian territory or waters. (d) Regulations of the Administrative Organisation of the Historical Heritage of Andalusia states that authority to grant authorisation is with the Director General of Cultural Goods</p>
19 June 2001	The Spanish Embassy in Washington informs OME that the Ministry of Culture had assumed competence in this matter on the basis of public interest since the cannon was found in waters under dispute, and that Ministry of Culture, not the Junta of Andalucia has competence in the matter.
4 July 2001	A meeting is held in Cadiz between OME attorney and the Junta de Andalucía (Mr. Manuel García León and Mr. Fernando Valverde Cuevas). The Junta states that OME only needs a valid authorization to restart with its work.
6 July 2001	<p>OME informs the Junta de Andalucía that the vessel MINIBEX, has not carried out underwater archaeological activities yet and the operations up to this moment have not involved any physical activities except at the location authorized by the Ministry of Culture (April 14th, 2001).</p> <p>OME also states that the work performed in the 12 miles around this location was performed in light of the authorization of the Ministry of Culture and the Spanish Embassy in Washington.</p> <p>In relation to archaeological coordination, OME provides the name of the archaeologist appointed by the United Kingdom and states that Mr. Iván Negueruela was appointed by the Spanish Ministry of Culture to determine if further archaeological experts are needed.</p>
22 August 2001	OME delivers a report to Mr. Félix Valdez of the Spanish Embassy in Washington on the recovered items that were left in the custody of Dr. Iván Negueruela of the Marine Archaeological Institute of Cartagena.
September 2001	A detailed Report on the archaeological activities is delivered to Mr. David Beltrán of the Spanish Embassy in Washington to be sent to proper authorities in Madrid.
21 September 2001	<p><u>Agreement of the Council of Ministers on September 21, 2001.</u></p> <p>The Cabinet maintains the resolution it passed on April 10, 2001 authorizing the extraction work by OME off the coast of Andalusia. The authorization is to be communicated to the Junta of Andalusia as the Constitution reserves to the State,</p>

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	exclusively, matters of international relations. The Cabinet notes that OME, on or before April 10 th had already obtained authorization from the Gibraltarian authorities for the part of the project to be conducted in waters that are in dispute with regard to the sovereignty of Gibraltar and which raised "issues of foreign relations with the United Kingdom." The government reiterates that as the OME project "affects disputed waters in the Straits of Gibraltar; it affects international relations and the foreign policy of the State directly".
20 November 2002	OME sends a fax to the Naval Museum of Madrid to inform the Museum about the expedition and to offer its cooperation. OME also proposes a meeting at the beginning of December between Mr. Fernando Riaño Lozano of the Naval Museum and OME.
21 November 2002	OME sends a fax to Mr. Julián Martínez García of the Junta de Andalusia proposing a meeting with Mr. Greg Stemm of OME, in Andalusia, at the convenience of the representatives of the Junta. Mr. Stemm offers to provide information on the status of Sussex project and to offer information on Punic and Roman shipwrecks that have been located during exploration by OME. Mr. Stemm also offers to make a presentation on the archaeological work conducted by OME using robots and the archaeological sites that have been located in the zone.
28 November 2002	OME attorneys fax the Delegate for Culture of the Junta de Andalusia, Ms. Carmen Calvo, and include a copy of the fax sent to Mr. Julian Martínez García on November 21 st , 2002.
12 December 2002	The Delegate for Culture of the Junta de Andalusia responds that they are discussing the project with the Directorate of Cultural Assets. They are waiting for an answer from this division and will be in contact with OME after they receive an answer.
13 December 2002	Newspapers publish an interview with Ms. Carmen Calvo Delegate for Culture of the Junta de Andalusia in which she states that authorization should have been granted by the Junta and that the Junta will grant the next one.
14 May 2003	At the request of OME, a meeting is held with Mr. Román Fernández and Ms. Carmen García Rivera of the Junta in which it is agreed that OME will submit a formal proposal regarding the SUSSEX and other possible activities in the Alboran Sea.
31 July 2003	OME attorneys send a fax to Mr. Maximiliano Vilchez, Subsecretary of the Government to set up a meeting in order to present the SUSSEX project.
26 November 2004	OME is informed that the Director of Underwater Heritage Mr. Juan Muñoz de la Borde, had complained that the Spanish Embassy in Washington had not received any information about OME's resumption of activities. On this same date, OME informed Mr. Juan Muñoz de la Borde that a formal communication about the resumption of the activities was sent

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	by the US State Department to the Spanish Government and thereafter the Spanish Government acknowledged receipt of this communication.
29 November 2004	OME sends information about reports to Tarifa Ship Traffic control to Mr. Juan Luis Muñoz de Laborde.
31 December 2004	<p>The British Government sends a letter to Mr. José Pons of the Spanish Foreign Relations office responding to question posed by Mr. Pons on December 29th, 2004 in relation to the SUSSEX. The letter states that the British government granted OME the right to rescue in regard to the Sussex, a British military ship which sank in 1694 in the Straits of Gibraltar. OME began investigating the location of the sunken ship at the beginning of December, 2004 and assures that it will be working in international waters and that the ship is indeed the Sussex.</p> <p>OME plans to bring its larger ship, the Odyssey Explorer, to the project zone in February of 2005 to begin excavation. It is estimated that the preliminary excavation will take two to three months, although it could take more if the ship is scattered at the bottom of the sea. OME will unload any objects found in the excavation in Gibraltar for commercial reasons and because any artifacts presumed to be from the Sussex would be UK property under OME's agreement with the UK MOD.</p> <p>The letter also indicates that OME will be providing further information about the project to the Ministry and the British government is also willing to answer any questions about the project.</p>
14 January 2005	The General Director of Exterior Politics for Europe and North America (MFA) Mr Jose Pons informs OME that the authorization had expired and that OME would have to immediately submit an archaeological report and a summary of its activities in 2002.
20 January 2005	In response to these requests OME insists that all the requested documentation has already been submitted and also pointed out, that an Intermediate Archaeological Report of September 2001 was provided to the Spanish Embassy in Washington and the Ministry of Defence in the UK, with evidence that one of the shipwrecks is the SUSSEX, which resulted in final agreement with the UK on 06/10/2002. OME also pointed out that the Control Centre of Tarifa was informed daily when OME's ships left the port and it was informed 30 days before the restarting of OME's operation to enable Tarifa to organize traffic accordingly. OME also noted that Spain was informed about the restart of the operation through diplomatic channels and OME has always stated that if the shipwreck identified as the SUSSEX turns out to be a Spanish vessel they will immediately inform the Spanish authorities.
28 January 2005	OME sends a copy of its letter to Mr. Pons of the MFA requesting the cooperation of Spain with all of the plans and projects.

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3 February 2005	OME attorney attends a meeting with Mr. José Pons of the MFA. In this meeting the MFA express concern about what might happen if the shipwreck turns out not be the SUSSEX. Mr. Pons notes while there is not an agreement on some points there is no quarrel. The original letter is requested and will be sent to the Ministry of Culture for their opinion. Mr Pons represents that there should not be a problem with the permission.
15 March 2005	OME's attorney sends Mr. José Pons (MFA) a fax informing him that OME would be restarting its expedition. A copy of the fax sent to the Control Centre of Tarifa informing it of its temporal and geographic coordinates is attached to the fax to Mr. Pons.
17 March 2005	OME's attorneys send a fax to Guardia Civil officials in Algeciras announcing the restart of OME's operations. The vessels involved in these operations will be ODYSSEY EXPLORER and RV ODYSSEY. Guardia Civil officials in Algeciras are also informed that the Spanish government is aware of the operations.
21 March 2005	Meeting in the MFA attended by OME attorneys, Mr. José Pons, Mr. Manuel de la Cámara and Mr. Santiago Chamorro of the MFA and Mr. Peter Spoor of the UK Embassy. In this meeting the MFA maintains that the waters at issue are not international waters as they are considered waters under dispute and additionally, Spain has not made any decision yet about the shipwreck and consequently, OME cannot start its operations.
27 March 2005	Meeting attended by OME attorneys and Mr. Luis Lafuente of the Ministry of Culture. In this meeting Spain asks that OME temporarily cease operation so that Sr. Luis Lafuente may conduct research in the Spanish government on several issues including: Spain's interest in the archaeology of the Sussex, proposing a protocol for Spain's involvement with shipwrecks that OME might find that are associated with Spanish heritage, to determine the competent authority for the supervision of Spain's involvement with any shipwrecks OME finds, the development of a policy with the UK and the US for the management of sovereign warships. The Ministry of Culture also asks for a courtesy statement from the UK stating that they believe that the Sussex is UK property.
1 April 2005	OME sends a letter to Mr. Luis Lafuente (MoC) summarizing the meeting held on March 27 th , 2005 (Exhibit E-1) The summary of the meeting includes recommended actions on several aspects of the discussions, including the temporary suspension of OME activities so that Spain can resolve a number of issues including Spain's interest in participating in the Sussex operations. OME states that it will unilaterally cease its activities for 15 days.
5 April 2005	OME attorneys send a copy of the letter April 1 st letter sent to Mr. Lafuente to Mr. José Pons (MFA). This cover letter to Mr.

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	Pons indicates that OME is looking forward to new cooperation between Spain and the company and through OME's willingness to voluntarily delay operations it will allow the parties to find a common framework for collaboration.
25 April 2005	Telephone conversation between OME attorneys and Mr. Lafuente in which Mr. Lafuente indicates that he had spoken with the Junta de Andalusia and that it was possible that there might be a future meeting to break the deadlock in the negotiations. He further states that the Junta's big concern is whether the shipwreck really is the SUSSEX and they want archaeological experts on board in order to determine this.
17 May 2005	Meeting is held in Seville between representatives of the United States, the United Kingdom, the Junta de Andalusia and OME.
6 June 2005	OME attorneys send an e-mail to Ms. Carmen García attaching the letter addressed to the Junta relating to the meeting held on 17 th May 2005 for her approval.
16 June 2005	OME sends a letter to the Junta de Andalusia regarding the meeting held on 17 th May 2005. In this letter OME thanks the Junta for meeting with OME and sets out a proposed cooperation on the Protection and Investigation of Andalusia's Deep Ocean cultural Heritage. OME explains that it has located a number of shipwrecks in the deep waters off Andalusia and some are sites of great archaeological importance. OME proposes to provide funding for archaeological work on these sites to be undertaken in cooperation with an Andalusia archaeological institutions and inter alia, OME to provide US\$500,000 in funding by supplying a ship, ROV, technicians etc for approximately 20 days and thereafter provide \$50,000 in conservation services for any artefacts. The letter continues with further information to try to satisfy the requirements of the Junta expressed in the meeting of the 17 May.
28 July 2005	The Spanish Ministry of Culture sends a fax to the MFA stating that they and the Junta want to be sure that the shipwreck is the SUSSEX, and therefore an archaeologist from the Junta will be on board the vessel with direct access to the evidence. If the shipwreck is in fact the SUSSEX the Junta will cooperate with OME and the United Kingdom, to allow the necessary work – including work in Spanish waters if that is where the Sussex is found - with an archaeologist appointed by the Junta. The Ministry of Culture does not authorise excavation of the shipwreck and all work must conform to standards set by the Junta. Once all the work involved in identifying the SUSSEX ends, all documentation must be provided to the Junta.
18 August 2005	E-mail from the State Department of the USA to OME and its attorneys stating that the US embassy in Madrid has received a Note Verbal from the MFA dated July 28 th , 2005 responding to the Note Verbal from the US embassy dated March 2 nd , 2005.

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	<p>The MFA states in its note that:</p> <ul style="list-style-type: none"> - Spain acknowledges that shipwrecks of State Ships that are properly identified belong to the flag state. - The waters of Gibraltar are Spanish and the United Kingdom has no right to them (A nautical chart of the Spanish Hydrographical Institute is attached). - The MFA authorises an expedition to identify the shipwreck provided that Spanish archaeologists take part in the expedition. Once the work of identifying the shipwreck ends, OME must ask for a new arrangement through diplomatic channels, enclosing an archaeological proposal for the extraction of the archaeological remains.
24/25/29 August 2005	During this time period OME attorneys contact the Junta several times to request that it appoint an archaeologist.
1 September 2005	<p>OME attorneys contact Ms. Carmen Rivera who, in order to appoint the archaeologist, demands a document providing the following information:</p> <ul style="list-style-type: none"> - Description of the archaeological works. - Port where the archaeologist will embark. - Schedule of the work. - Date of the beginning of the work and its length. <p>Finally, Ms. Carmen Rivera demands a copy of the Note Verbal of the MFA to the USA embassy in Madrid.</p>
2 September 2005	A copy of the Note Verbal from MFA is sent to the Junta by OME attorney through the US Embassy in Madrid. OME's attorney is informed that the MFA interpretation of the text of the Spanish Note Verbal of the 2 nd September 2005 it is clear that this is not conditional upon the appointment of the archaeologists on behalf of the Junta of Andalusia
8 September 2005	OME attorneys send a letter to Mr. Jesus Romero Benitez, the General Director of Cultural Heritage of the Junta de Andalusia, with the information demanded by Ms. Carmen Rivera.
27 September 2005	OME attorneys send a fax to Mr. Jesus Romero Benitez, the General Director of Cultural Heritage of the Junta de Andalusia, asking again for the appointment of an archaeologist.
28 September 2005	Mr. Jesus Romero Benitez, General Director of Cultural Heritage of the Junta de Andalusia, sends a letter dated 26/09/05 stating that an archaeologist will not be appointed because of the unclear status of the project. He will appoint an archaeologist once an administrative authorisation to carry out the work is obtained according to the requirements stated in the respective Spanish and Andalusia Cultural Heritage Acts.
30 September 2005	The Junta de Andalusia publishes a press release denying that an agreement has been reached to appoint an archaeologist.
12 November 2005	The Ministry of Culture addresses a letter to OME attorneys

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	complaining that OME has restarted its work without the necessary authorisation from the Junta de Andalusia as required by the Spanish and Andalusian Cultural Heritage Acts
14 November 2005	OME attorneys inform Mr. Jose Pons, General Director of Foreign Affairs and Cooperation of the MFA that OME intends to restart the expedition. The fax sent to Tarifa Control Centre from OME is attached to this communication.
14 November 2005	OME sends a letter to the Ministry of Culture enclosing a proposal to recover the archaeological remains. On the same date, OME attorneys send an e-mail to Mr. Pons stating that OME has informed the Tarifa Control Centre on the work that the OME will be carrying out.
17 November 2005	OME attorneys receive a fax from the Harbour Master Office of Algeciras stating that they have received an order from the Junta de Andalusia requiring OME to immediately stop its works in the zone (13 miles) as an archaeologist has not been appointed by the Junta. It also states that in order for an archaeologist to board the ship, OME must have the necessary authorization for the project from the Junta de Andalusia. OME attorneys inform the Harbour Master Office of Algeciras that the MFA has authorised the expedition without a Spanish archaeologist on board, according to MFA's Note Verbal addressed to the US embassy in Madrid.
17 November 2005	A copy of the letter from the Junta de Andalusia dated 28 th September 2005 and a copy of the most recent correspondence between OME and the Junta are sent to Mr. Jose Pons.
17 November 2005	The Ministry of Culture sends a fax to Mr Manuel de la Camara with "the position of the Ministry of Culture and the Junta of Andalusia in relation to the activities of the company OME on the Sussex" and attaches a fax from the Ministry of Foreign Affairs to Mr Pedro Moya Milanés member of the Council of the Presidency of the Junta of Andalusia of the same date which makes it clear that the MFA properly granted permission to OME since they were following the instructions of the Ministry of Culture and that furthermore, it was the responsibility of the Ministry of Culture to sort out the issue with the Junta. (See Exhibit E-2)
23 November 2005	OME voluntarily suspends work so that the MFA can resolve the confusion with the Junta.
28 November 2005	OME attorneys are informed that the MFA has contacted Mr. Pedro Moya, the person at the Junta who is in charge of the OME matter, and the person whom OME attorneys have tried to contact in order to obtain the appointment of archaeologists to join the expedition.
30 November 2005	OME attorneys contact Mr. Manuel de la Camara who requests a letter from OME to Mr. Jesus Romero Benitez addressing the following points: - The dates in January when the work will be carried out. - A statement from the company stating that the aim of the

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	<p>expedition is to identify the shipwreck.</p> <ul style="list-style-type: none"> - An explanation of the work performed to identify the shipwreck. - The area where the work will be carried out. - Another request to the Junta to appoint an archaeologist.
1 December 2005	<p>Following the Junta's suggestion, OME attorneys send a letter to Mr. Jesus Romero Benitez again providing the information requested. OME indicates that all of this information had already been provided by OME to different Ministries and Administrations in the past.</p> <p>The letter is addressed to Mr. Romero, the Ministry of Culture and to the MFA, as well as the US embassy in Madrid.</p>
2 December 2005	<p>The Junta answers OME with the same letter it sent on September 28th.</p>
9 December 2005	<p>OME representatives send a fax to Mr. Pons (MFA) attaching the notification made on 07/12/05 to the Tarifa Maritime Control Centre on the work that OME will be performing in the area. As in the past (every time OME left to operate in the area) the information sent to Tarifa included the characteristics of the ship, geographic coordinates, and the schedule of the operations to be conducted on the expedition.</p>
10 January 2006	<p>OME is required to abandon the area and information on the ship's Master, Mr. Keith Herron, is taken by the Guardia Civil.</p>
11 January 2006	<p>A summons is issued for the crime of serious disobedience by the Spanish authorities for the Master, Keith Herron, who is requested to appear before the Guardia Civil de Algeciras on January 12th, 2006. This summons is based on Odyssey conducting operations that had been previously authorized.</p>
11 January 2006	<p>The Junta de Andalusia publishes an official press release stating that OME has no authorisation to operate in the area because archaeologists have not been appointed to the project, that the Junta is the only competent authority in the matter, and that the Junta has informed OME of its lack of authorisation.</p>
16 January 2006	<p>OME attorneys receive a fax from the Police, accompanied by a citation for Captain Mr. Keith Herron from the Court of Instruction Number 3 of La Linea de la Concepcion. The appearance is set for January 18th, 2006.</p>
19 January 2006	<p>OME attorneys send a fax to Mr. Jesús Romero Benitez of the Junta attaching once more an invitation from OME for Spanish archaeologists to embark on the project.</p>
19 January 2006	<p>OME attorney sends a letter by fax to Mr. Chavez, President of Andalusia requesting a meeting to resolve the issue of the appointment of archaeologists</p>
20 January 2006	<p>The Junta responds that it will not appoint an archaeologist until it is provided with a proposal that complies with the requirements of Royal Decree 168/2003.</p> <p>The Junta attaches a fax from the Directorate General of the Cultural Heritage of the Junta and the Directorate General of the Spanish Ministry of Culture supporting the Junta's response that permission is needed.</p>
25 January 2006	<p>The US Embassy in Madrid receives a Note Verbal from the</p>

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	MFA stating that without the authorisation of the Junta of Andalusia and the presence of a Junta archaeologist on board, OME cannot continue with its work.
8 February 2006	Meeting with OME, Greg Stemm, Sir Stephen Wright (at that time the Ambassador of the UK to Spain), Mr Peter Spoor and Mr. Romero from the Junta of Andalusia, and OME attorneys. In this meeting the British government states that it is interested in the project, it does not think that any rights have been infringed, and that the conduct of OME, in the eyes of the UK, is correct. Spain states that competence for authorization belongs to the Junta. The Junta does not consider the archaeological project plan presented to be sufficient Mr. Romero delivers a copy of the document "Report on the administrative negotiations for authorization of the activities of recovery of the English ship HMS SUSSEX by the OME company." Dated February 7, 2006.
6 March 2006	OME prepares a press release for its website, approved by Mr. Manuel Cámara (MFA).
29 March 2006	Notification of the initiation of the administrative sanction proceeding by the Director General of the Ministry of Culture of the Junta de Andalucía
30 March 2006	Note Verbal from the UK Embassy attaching the Alboran Sea Project elaborated by OME in response to specific requests by Mr. Romero during the meeting with the MFA on February 8th, 2006.
5 May 2006	UK Embassy informs OME that the Junta is satisfied with the report submitted by OME and that an archaeologist will be nominated.
18 May 2006	Response of the Junta in a letter with comments on the documentation submitted by OME. Now claimed that the detailed archaeological plan that was provided (and approved by the UK Government is not sufficient to obtain permission for the Alboran Sea Project.
6 June 2006	OME prepares and via the British Embassy presents its second report on the Alboran Sea Project to the Junta of Andalusia in response to its comments in its letter of 18 May, 2006
12 July 2006	The MFA notifies the British Embassy in Madrid, of the response of the Junta de Andalusia. The Junta does not consider the corrected defects sufficient to waive the request for permission.
29 August 2006	Meeting in Sevilla with the Junta of Andalusia, the British Embassy and OME's technical representatives for the Alborán Sea Project
12 September 2006	Letter from OME in relation to the questions formulated during the meeting in Seville of 29 August, 2006. OME requests that a recognized Spanish institution review the Alboran Sea Project and in relation to the unique coordinates facilitate the same with the British government. The understanding of OME is that in the spirit of cooperation it

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	will provide the coordinates of all the wrecks that it has found in previous campaigns in Spanish waters as part of the Alboran Sea Project.
26 September 2006	OME defends itself against the proposed sanction of the Junta of Andalusia.
2 October 2006	Letter of the UK Minister for Europe – Geoff Hoon addressed to Manuel Chávez President of the Autonomous Community of Andalusia. He notes the difference of opinion between the UK and Spain as to the status of the waters but urges that this issue be pushed aside in order to collaborate on the SUSSEX project. He also refers to the unresolved action against the ship's master and notes that proceeding in this case will complicate the situation. He also indicates that the coordinates of the OME project are in the hands of the Central Maritime Control in Tarifa.
4 October 2006	Email from Carlos Sánchez de las Heras of the Directorate General of Culture at the Junta with additional requirements from the Junta de Andalusia – to limit the zone of the shipwreck as much as possible and authenticate the academic qualifications of OME archaeologists.
10 October 2006	Reply from OME to the email of Carlos Sánchez de las Heras sent via the UK Embassy. OME repeats that it will collaborate with the UK in relation to coordinates of the shipwreck and states it will expedite the notary documentation in relation to the qualifications of its personnel.
13 November 2006	A meeting takes place with the Directorate General of Fine Arts of the Ministry of Culture in Madrid, in a meeting attended by OME's Cofounder, Mr. Greg Stemm; OME's legal counsel, Mr. Jose Luis Goni and Ms. Elisa de Cabo of the Ministry of Culture. The possibility of shipwreck finds which could have cultural or historical interest to Spain are discussed. OME offered to Spain the opportunity to collaborate in the projects discussed and made clear that some of the wrecks were in danger from other salvors and that the company was prepared to collaborate with Spain to identify and protect these sites. This offer had also been made on various previous occasions to Spanish and Andalusian authorities.
26 January 2007	OME attorneys send a fax to Guardia Civil officials in Algeciras and attach a letter providing the area of operations and the area of equipment testing.
27 January 2007	Meeting of OME and their attorney with officials of the Guardia Civil of Algeciras. The nature of the operations which will be undertaken by OME are discussed. It is the understanding of those in the meeting that none of the activities planned would be considered violation of any Spanish law. It is agreed that OME will inform the Guardia Civil prior to the commencement of any operations, providing a detailed chart and description of all activities in advance of operations.
12 February 2007	Fax from OME attorneys to Guardia Civil officials in

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	Algeciras attaching a new nautical chart with the zone and description of operations.
12 February 2007	Note verbal of the MFA identifying the requirements to OME for resuming operations. MFA requests that OME identify the qualified technical and scientific personnel, that archaeologists designated by the Junta will be aboard the ship, that before it initiates activities it attends a meeting with British and Spanish experts and, that it report monthly on this phase of the operations.
13 February 2007	Note verbal from the British Embassy, in response to the note from the MFA of the previous day listing the requirements for resumption of operations, proposing February 28 th , 2007 as a day to meet to coordinate the project.
16 February 2007	Fax from OME's attorneys to Guardia Civil officials in Algeciras attaching a new letter with the nautical zone of operations for the continuing survey activities in the area.
5 March 2007	Fax from OME's attorneys to Guardia Civil officials in Algeciras attaching a new letter with the zone of operations and a copy of the Notice to Mariners.
3 March 2007	British Embassy send Nota Verbal to MFA agreeing to terms set by the MFA for OME to resume operations and requesting again that the Junta nominate archaeologists to accompany OME and putting into place arrangements for first coordination meeting and proposing a joint press release with Spain.
5 March 2007	OME attorneys send to Guardia Civil officials the Notice to Mariners as well as a copy of the nautical chart indicating the relevant zone for continuing survey operations.
23 March 2007	Meeting in Seville between Greg Stemm for OME, OME attorneys, the Junta de Andalusia and the British Embassy. In the meeting OME provide a detailed presentation of the Alboran Sea Project. The Junta agrees that the archaeology of the project is excellent, and save some formal clarifications by OME, it would proceed to name the Spanish archaeologists to accompany OME.
23 March 2007	Press release by the Spanish MFA announcing the agreement between the Spanish government and Spain for the start of exploration work on the SUSSEX.
24 March 2007	OME attorney calls Guardia Civil official in Algeciras to update him on meeting in Sevilla and subsequently forwarding copy of El Pais press article on SUSSEX dated 26 March 2007
27 March 2007	Press release by the Ministry of Culture denying that the Ministry has authority over the activities of OME.
30 March 2007	OME presents a third report to the Junta de Andalusia, through the British Embassy, in response to the Junta's requests during the meeting in Seville.
14 May 2007	Fax from OME's attorneys to the Guardia Civil attaching a copy of the Notice to Mariners.
17 May 2007	Fax from OME's attorneys to the Guardia Civil attaching a new letter with the nautical zone of operations.

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23 May 2007	OME attorneys contact Guardia Civil officials of Algeciras to discuss recent press relating to BLACK SWAN and sending fax with information official information from OME press release making clear that the BLACK SWAN was not discovered during operations in the area which the Guardia Civil was monitoring, and in fact not in Spanish waters at all. OME attorney confirming that her telephone number can be passed to Headquarters of Guardia Civil in Madrid if they require information
23 May 2007	OME attorney receives call from Commander Cortes of the Guardia Civil in charge of the investigation into OME in relation to the BLACK SWAN. OME attorney sends copy of same fax sent earlier to the Guardia Civil of Algeciras and offers any further information that Commander Cortes may require. OME attorney told that at the time Guardia Civil did not need to speak with OME attorneys.
23 May 2007	OME attorney receives letter by fax from Mr Julian Martinez Garcia, Director General of Fine Arts and Cultural Heritage of the Ministry of Culture requesting that OME attorneys provide very urgently information on the identity of the wreck and the customs documentation in relation to the export of the coins to the US.
24 May 2007	OME attorney calls Mr Julian Martinez Garcia to arrange a meeting in response to his letter
24 May 2007	OME subcontractors in Spain approached and questioned by the Guardia Civil in Seville
24 May 2007	Ruling from the Judge in the proceedings against Master Herron in the Court of La Linea. The judge is requesting a report from the Guardia Civil in relation to the territoriality of the waters where the incident occurred.
29 May 2007	OME attorneys meet with Mr Julian Martinez Garcia at the Ministry of Culture and hand to Mr Martinez a copy of a letter prepared by OME attorneys in response to the request for information, confirming <i>inter alia</i> that the site of the Black Swan is not located in Spanish waters and the vessel's identity as yet unknown
5 June 2007	US State Dept. official informs Spanish Embassy official that some of the false reports of OME's operations in the Alboran Sea have resulted from OME's promotion with Volvo and Disney, and that OME has not been allowed to disclose this publicly. This information was passed on officially for Government use in hopes of clearing up the ongoing disclosure of false reports by the press and was to be kept in confidence.
5 June 2007	Spanish press reports that criminal proceedings have been commenced against OME and there exists an order of the judge to arrest and bring OME vessels to a Spanish port to be searched
6 June 2007	Greg Stemm meets with officials at the Spanish Embassy in Washington DC and provides substantial background information relating to OME's operations during the previous

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	nine years.
6 June 2007	Confidential information on the Volvo and Disney promotion by OME leaked to the press by the Ministry of Culture.
11 June 2007	OME attorney appears before the Judge in the Court of La Linea de la Concepcion where the press states that criminal proceedings have been commenced in order to obtain information on the allegations. OME files a power of attorney and pleading confirming to the Court that the Black Swan is not located in Spanish waters. The judge tells OME attorney that he can present pleadings at court but since proceedings are secret, judge will not give out any information on the allegations or the scope of the investigation into OME
14 June 2007	OME attorney meets with the Office of the Public Prosecutor in Cadiz to discuss allegations. OME attorney states that OME representative is willing to give testimony at court and offer vessels for voluntary inspection in relation to any accusation of a crime having been committed in Spanish jurisdictional waters; Public Prosecutor states that OME should present whatever information in writing to the court and allow the judge to determine whether he wants information from OME
21 June 2007	OME attorney receives back from Court of La Linea the original power of attorney and pleading to appear in the proceedings without any formal explanation from the court.