

Supplemental Rule E.6 Custody of Vessel

(a) Upon the seizure by the Marshal of a vessel by arrest or attachment in any suit in personam, in rem, or both, the Marshal shall appoint as keeper or custodian of the vessel so seized, the vessel's master or other officer upon such master's or other vessel officer's acceptance of the responsibilities and liabilities incidental to the appointment, unless the Marshal shall receive permission of the Court for the appointment of any other person.

(b) Upon proper motion of any party having an interest in the vessel so seized, and upon proof of responsibility satisfactory to the Court, the Court shall appoint at any time during the seizure a keeper or custodian as substitute for any keeper or custodian so appointed by the Marshal.

(c) Upon seizure of the vessel, the Marshal, keeper or custodian shall not impede the conduct of the loading and discharging of cargo or other operations normal to the vessel unless deemed necessary for the safe custody of the seized vessel.

(d) Upon proper motion of any party having an interest in the seized vessel, upon proof satisfactory to the Court of adequate insurance protection covering the seized vessel, and upon at least one (1) day's notice to the Marshal, keeper or custodian, the Court shall order the cancellation of any insurance placed upon the seized vessel on behalf of the Marshal, keeper or custodian, save only such insurance as may be necessary to protect against liability in such capacity, and subject to such provision as the Court may require for the continuing maintenance of adequate insurance protection.

(e) Upon proper motion of any party having an interest in the vessel, and upon the filing of a stipulation or other form of undertaking satisfactory to the Court guaranteeing the payment of any sums found legally payable to the plaintiff by judgment of the Court or by settlement, and upon at least one (1) day's notice to the plaintiff, the Court shall order the release of the vessel so seized subject to the further order of the Court.