

Texas Judge Says Treasure Hunter Can Seek Share Of Loot

By Spencer Brewer

Law360 (April 22, 2026, 8:49 PM EDT) -- A Texas federal judge mostly kept intact a suit seeking to force a company to hand over part of the haul from a Caribbean treasure expedition, saying the treasure hunting company that brought the suit could continue to seek its claimed share of the booty.

Chief U.S. District Judge Reed O'Connor wrote Tuesday that the company treasure hunter Daniel Porter manages, Maritime Research & Recovery LLC, could continue to seek part of the treasure trove from Allen Exploration LLC, the company that funded the exploration. Allen Exploration hired MRR to help find the treasure from the sunken Spanish galleon Nuestra Senora de las Maravillas, a ship that sank off the coast of the Bahamas in 1656 and took an estimated \$5 billion worth of gold and silver with it beneath the waves.

Judge O'Connor ruled that MRR could continue to pursue claims of breach of contract against Allen Exploration but said Porter could not personally pursue claims against Allen Exploration's owner, Carl Allen.

"Because Porter is only an incidental beneficiary, he is not entitled to bring suit to enforce it," Judge O'Connor wrote.

Additionally, the court kept intact MRR's defamation claims against Allen Exploration, ruling that Porter is not a public figure and that outside certain statements, MRR could continue to pursue its defamation claims. MRR said in its amended complaint that Allen Exploration bad-mouthed Porter and MRR to Bahamian government officials and specific people in the treasure hunting industry in an effort to drive MRR out of business.

"First, Porter is not a [limited purpose public figure]," Judge O'Connor wrote. "The court finds that Porter is not an LPPF because he did not 'voluntary inject' himself into the controversy."

Porter and MRR initially sued in Florida, but the case was transferred to Texas. According to the complaint, Allen Exploration hired MRR to search for and find the sterncastle of the Maravillas and recover whatever artifacts were found. The sterncastle refers to the elevated, multideck

structural section of the Maravillas where the largest concentration of gold, silver and gemstones would be carried, according to the complaint.

The companies inked a services agreement, which specified that MRR would get 25% of whatever sunken treasure it recovered. An outside party threatened a claim against MRR, seeking rights to the recovered treasure, and the parties terminated their contract on the advice of an attorney, who said that doing so would help avoid litigation.

That outside party never brought a suit, and MRR and Allen Exploration continued to operate under the terms of the contract. MRR was successful and found millions of dollars' worth of sunken treasure.

But in 2024, MRR alleged that Allen Exploration "anticipatorily breached the contracts and joint venture agreements with plaintiffs first by refusing to pay plaintiffs any of the division of artifacts due, and then by declaring defendants would pay plaintiffs only 60% of the 25% division due, demanding plaintiffs agree to this reduced split." MRR's suit followed.

"It's obvious from this opinion that [Judge O'Connor] understands the nuances of this case, and the evidence is coming in exactly as the allegations have been made by the plaintiff," said an attorney for MRR, Guy Bennett Rubin of Rubin & Rubin.

A representative for Allen Exploration did not immediately respond to a request for comment.

MRR is represented by Guy Bennett Rubin and Todd Norbraten of Rubin & Rubin.

Allen Exploration is represented by Robert L. Sayles and Brian M. Gillett of Bradley Arant Boult Cummings LLP and David G. Concannon of Concannon & Charles PC.


The case is Porter et al. v. Allen et al., case number 3:25-cv-00744, in the U.S. District Court for the Northern District of Texas.

--Editing by Nick Siwek.

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