

Maritime and Admiralty Law

Experienced Legal Counsel for the Maritime and Admiralty Industry

The maritime lawyers in Kaufman Dolowich's Maritime and Admiralty Law Practice have over one hundred years of collective experience handling difficult admiralty and maritime matters. Our lawyers represent vessel interests-both blue and brown water-marine terminal operators, stevedores, marine construction firms, ship building and repair companies, marinas, and other parties in maritime cases in state and federal courts in New York, New Jersey, Connecticut and Massachusetts. Our attorneys are recognized as highly skilled and diligent practitioners with a strong track record of success in handling challenging cases involving serious injuries and damages. With strong ties and connections to the maritime community, we have tried cases to verdict in numerous jurisdictions and are adept at navigating the complex appeals process on behalf of our maritime and admiralty industry clients.

Accidents that take place at sea are generally governed by "admiralty law" or what is commonly known as "general maritime law." A plaintiff can file a general maritime law case in federal or state court.

Our Maritime Lawyers Provide Comprehensive Representation

Our attorneys handle general maritime cases from the initial investigation through trial, post-trial and appeal. When a client faces a maritime accident claim, our lawyers undertake a full investigation of the incident, carefully evaluating causation and damages issues. Kaufman Dolowich investigates the plaintiff to determine whether he or she has initiated any prior maritime claims or lawsuits or has had any earlier injuries or pre-existing conditions that are not attributable to the accident.

Our attorneys may call upon maritime experts to address vessel safety and operations and will also consult with doctors and other medical professionals to provide testimony about the plaintiff's injuries. In many maritime accident cases, plaintiffs claim that they are unable to return to work and will seek lost wages and other compensation which could run into the millions of dollars. In these situations, our lawyers work with a team of economists and vocational rehabilitation experts who thoroughly assess and address the issue of lost wages.

Defending Marine Terminals and Stevedores

Marine terminals and stevedoring operators are responsible for loading and unloading billions of dollars of cargo each year. These high traffic facilities are at risk for substantial legal liability when physical injuries, property loss, property damages and other incidents occur in connection with their terminal operations.

Our firm's Maritime and Admiralty Law Practice has vast experience representing clients across the maritime industry, including marine terminals and stevedores. We are deeply connected to the maritime community and have a firm understanding of the complex laws and standards governing the operations of terminal facilities. Our maritime lawyers defend marine terminal and stevedoring companies in a wide variety of legal actions that may be brought against them, including:

- Lawsuits brought by truckers for physical injuries
- Lawsuits brought by third parties involving injury claims
- Property damage claims
- Commercial disputes
- Claims filed under the Longshore Harbor & Workers' Compensation Act

Maritime Lawyers Guiding Clients Through Vessel Purchases and Sales

Whether the purchase is for business or pleasure, purchasing a vessel is a substantial investment. These types of transactions tend to involve sophisticated legal issues that are best handled by a maritime lawyer well versed in facilitating vessel sales and purchases. We have decades of experience navigating clients through all phases of vessel sales and transactions. Kaufman Dolowich represent both buyers and sellers in connection with the sale and purchase of a wide variety of vessels, ranging from large and small ships to fishing boats to pleasure crafts, party boats and dinner cruise vessels.

When counseling a client involved in the sale or purchase of vessel, our attorneys utilize a proactive approach to identify and resolve potential issues that could lead to costly legal problems. Our maritime lawyers also take the time to fully understand our clients' needs and objectives and provide support with every aspect of the transaction, including:

- *Negotiating and drafting financing documents, including loan agreements, ship mortgages, assignments, pledges, guarantees and miscellaneous undertakings*
- *Preparing Bills of Sale and Preferred Ship Mortgages*
- *Conducting due diligence including determining whether any maritime liens exist against the vessel*
- *Recording documents of title and security interests with the U.S. Coast Guard National Vessel Documentation Center and respective ship registries*
- *Attending ship sale closings*
- *Resolving post-sale disputes*

For over 35 years, businesses and individuals throughout the maritime community have relied upon our firm to deliver the highest quality legal services. Whether we are representing a vessel owner or a potential buyer, our clients trust that we will provide them with the legal advice they need to successfully negotiate and close these complex transactions.

Maritime Casualties

At Kaufman Dolowich, we know that maritime casualties can occur at any time. When they do, our dedicated and experienced attorneys are prepared to provide an immediate and effective response. We are literally on site immediately after the occurrence. This often includes interviewing crew members and witnesses, gathering navigational records, liaising with the U.S. Coast Guard and other governmental agencies. Our maritime lawyers have experience responding to all kinds of marine casualties from minor dock allisions, to man over board incidents, environmental emergencies, and multi-vessel collisions resulting in millions of dollars of property damage and personal injuries or death. In these instances, it is our experience and dedication that make all the difference when it comes to developing the facts and formulating the theories.

Maritime Lawyers with a Premier Reputation Across the Industry

Our attorneys are proud of the strong reputation we have built throughout the maritime industry. We are known for placing the needs of our clients first and for working side by side with clients to craft innovative, viable solutions that resolve legal claims and disputes in the most cost-efficient manner possible. Our maritime lawyers understand the unique risks and challenges associated with maritime operations and are committed to doing everything possible to prevent and mitigate our clients' exposure to legal claims and liability. No matter the size of your business, contact our maritime lawyers today for comprehensive representation.

Victories in General Maritime Litigation Representative Matters

General maritime and admiralty law matters handled by our maritime lawyers include:

- *Vander Schauw v. Fire Island Ferries, Inc., Supreme Court, New York County - Represented ferry company in general maritime case. Plaintiff claimed defendant was negligent in its freight storage practices because a beach chair was able to encroach into the passenger walkway. As a result, Plaintiff sustained a fractured shoulder which required open reduction and internal fixation. Undisputed expert testimony confirmed Plaintiff's residual loss of range of motion. Plaintiff demanded \$450,000 and*

asked the jury for \$650,000. After a two week jury trial, Kaufman Dolowich obtained a defense verdict on liability.

- ***Campbell v. Block Island Ferry Services, Inc.***, United States District Court, Eastern District of New York. Represented ferry company in general maritime case. Ferry company operated ferry service between Block Island and New London, Ct. via the vessel *Jessica W.*, a 160' wave-piercing catamaran equipped with ride-control systems. Plaintiff and her maritime expert claimed that the ferry company was negligent in its operation of the *Jessica W.* as she rounded the 1BI buoy (NE end of Block Island) where notoriously dangerous waters exist. As a consequence, plaintiff was thrown inside the passenger compartment and sustained a fractured shoulder which required open reduction and internal fixation surgery. The jury deliberated over two days and returned a defense verdict on liability.

Maritime and Admiralty Law's Leaders

- Gino A. Zonghetti