

# Maritime

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## RELATED SERVICES

- Business Transactions
- Casualty
- Commercial Litigation
- Employment
- Environmental & Toxic Tort
- Labor
- Transportation

## CONTACTS

**Andrew I. Port**  
Partner

## OVERVIEW

GRSM's maritime attorneys represent the world's largest vessel underwriters and ocean carriers. Our team handles wet and dry matters, including commercial maritime disputes and injury and cargo claims. We are known for our extensive experience in casualty response and investigation and for our handling of high-risk and high-exposure cases. In fact, our attorneys have made new law with more than a dozen reported decisions, including from the U.S. Supreme Court.

The collective depth of our nationwide maritime bench is our superpower. We provide 24/7 emergency incident response with a team proportionate to the needs of any new matter. We have investigated and coordinated the response to hundreds of marine casualties.

Our goal is to make matters easier for our clients. We scale our resources quickly, in any major port or city in the United States.

GRSM is distinctive as one of the few national firms that handle both maritime labor and employment work as well as casualty work, giving clients a consistent, one-stop legal resource. By working with GRSM, clients gain access to attorneys who completely understand their business and competitive pressures.

## COUNSEL TO THE MARITIME INDUSTRY

Recognized by *Chambers USA* for “excellent knowledge of the industry” and for great legal and practical information, attorneys in our group represent a range of industry clients. Those clients include:

- Owners/Operators
- Charterers
- Non-vessel operating common carriers (NVOCCs)
- Maritime casualty insurers
- Marine terminal owners and operators

For shipowners, we handle claims involving asbestos, benzene, hearing loss and other occupational and environmental disease litigation. GRSM’s depth in the area spans tort litigation, environmental and marine casualties, cargo loss, freight recovery actions, regulatory issues, and employment actions.

Beyond litigation, we also represent maritime businesses in all their legal concerns, from drafting and negotiating marine and business contracts to assisting with vessel finance. Our background in litigation influences the practicality of the liability prevention advice we offer.

## MAJOR MARITIME EXPERIENCE

GRSM attorneys have been counsel of record in *SouthWest Marine, Inc. v. Gizoni* and *John Papai v. Harbor Tug and Barge Company*, both seminal maritime cases before the U.S. Supreme Court.

Our maritime law teams include a former commercial and research diver, Proctors in Admiralty, and longstanding members of the Maritime Law Association of the United States since 1981. We are listed as correspondent counsel for a number of international underwriters.

We have also filed *amicus curiae* briefs with the U.S. Supreme Court in other significant maritime cases, and we have argued before the U.S. Court of Appeals for the Ninth Circuit as well as California appellate courts.

## REPORTED DECISIONS

- *In re Seaway Co. of Catalina, et al.*, 2013 U.S. Dist. LEXIS 32542 (C.D. Cal. Mar. 7, 2013) (Limitation of Liability and Death on the High Seas Act claim).
- *Wagner v. Apex Marine, et al.*, 83 Cal App. 4th 1444 (Court of Appeal of California – statute of limitations in latent disease matter).

- *John Papai v. Harbor Tug & Barge*, 520 U.S. 548, (United States Supreme Court – seaman status).
- *Rodriguez v. Flota Mercante Grancolombiana SA*, 703 F.2d 1069 (9th Circuit Court of Appeals – subject matter jurisdiction over seaman’s claim).
- *Quevedo v. Trans-Pacific Shipping, Inc., et al.*, 143 F.3d 1255, (9th Circuit Court of Appeals – LHWCA shipowner’s duties to longshoreman).
- *Fireman’s Fund Insurance Company v. MV DSR Atlantic*, 131 F.3d 1336 (9th Circuit Court of Appeals – enforcement of forum selection clause in Bill of Lading).
- *Nissan Fire & Marine Insurance Company, Ltd. etc. v. HYUNDAI EXPLORER, et al.*, 93 F.3d 631 (9th Circuit Court of Appeals – fire defense).
- *Mitsui OSK Lines, Ltd. v. Swiss Shipping Lines SAL*, 2018 U.S. Dist. LEXIS 35736 (USDC ND Cal. – Freight Rate Claim dismissed for lack of personal jurisdiction, rehearing denied).
- *O.W. Bunker Malta, Ltd. v. M/V Trogir*, 2015 U.S. App. LEXIS 4367 (9th Cir. 2015) (Maritime Liens).
- *Italia Marittima, S.P.A. v. Seaside Transp. Servs., LLC*, 2011 U.S. Dist. LEXIS 142529 (N.D. Cal. Dec. 12, 2011) (Enforcement of Forum Selection Clause).
- *Arabian Gas and Oil Development Company v. Wisdom Marine Lines, S.A.*, 2017 U.S. Dist. LEXIS 48288 (C.D. Cal. Mar. 20, 2017) (Increase of Security for Wrongful Attachment Damages).
- *Equatorial Marine Fuel Mgmt. Servs. Pte Ltd. v. MISC Berhad*, 2011 U.S. App. LEXIS 26055 (9th Cir. 2011) (Damages for Wrongful Attachment).
- *Equatorial Marine Fuel Mgmt. Servs. Pte Ltd. v. MISC Berhad*, 591 F.3d 1208 (9th Cir. 2010) (Vacation of a Rule B Attachment).

## REPRESENTATIVE EXPERIENCE

- Represented vessel interests in major collapse of stow cases on non-U.S. flag vessels.
- Coordinated the emergency response and numerous governmental investigations regarding the loss of containers overboard near a marine sanctuary.
- Represented vessel interests in fire and loss of propulsion matters, and other major vessel casualties.
- Represented the owners in litigation and a limitation petition arising out of the fire and loss of a commercial dive boat and the loss of more than 30 lives.
- Represented vessel owners and operators in pollution incidents, including air quality violations and whistleblower investigations.
- Handled emergency response, including investigation and defense of claims, arising out of injuries and fatalities during terminal operations, including crush incidents/injuries.
- Investigated seaman deaths and repatriated remains and personal effects.

- Obtained summary judgment in a cruise ship passenger case, based on lack of notice of a dangerous condition. The case involved claims of a trip and fall over a bathroom threshold and resultant paralysis.
- Represented vessel interests in the investigation and ensuing litigation arising out of a collision between a ship and a “mega” yacht.
- Litigated numerous jurisdiction, choice of law and forum selection clause issues in a variety of types of cases.
- Arbitrated and defended grievances for shipowner employers, including CBA-related grievances and termination grievances.
- Counseling clients involved in the 2008 West Coast Negotiations between the Pacific Maritime Association members and various ILWU Locals. The negotiations covered 26,000 ILWU-represented longshore workers at 29 West Coast ports in California, Oregon, and Washington.