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GUILBEAU RULI FRIEMAN APLC

**How does JN define this practice area?**

This area of the law primarily involves claims by workers injured in navigable waters in the United States generally working on or aboard structures that are considered vessels. Several federal acts can apply including the Jones Act, Outer Continental Shells Lands Act (OCSLA), the Death On The High Seas Act (DOHSA) and also involves the non-statutory remedy known as the general maritime law which can interact throughout the statutory law and even with the laws of adjacent states depending on the facts and circumstances of a particular case. The Jones Act, in particular, involves claims by employees against their direct employer or other employer entities for negligence in bringing about their injury and damages. The general maritime law also affords to seaman considered wards of the court the no-fault remedy of Maintenance and Cure. A case in this arena can involve a myriad of overlapping remedies and is considered one of the more complicated areas of practice in personal injury law.

**Who (clientele) does this practice area serve?**

With respect to our law firm, this practice area primarily serves insurance companies which issue Workers Compensation/Employers Liability (WC/EL) policies endorsed to cover maritime risks through the Maritime Coverage Endorsement and insurance companies which issue Maritime Employers Liability (MEL) insurance policies, and their respective insureds who generally are employers which employ workers who are assigned or arguably assigned to a particular vessel or identifiable fleet of vessels and/or perform their duties on or around or in connection with vessels generally employed in the transportation of goods and cargo on the Mississippi River or in the offshore marine or oil industry setting.

**What would you say makes you an expert in this area?**

I have represented employers and carriers in this area of the law for nearly 37 years which not only has familiarized me with the local experienced practitioners and seasoned judiciary but has also allowed me the privilege of observing and being a part of the development and evolution of this multifaceted area of the law.

**Why do you think clients rely on your lawyers to defend them in this area?**

My client base appreciates the responsive sage counsel, prompt evaluation of the claim and potential exposure presented, timely assistance in meeting any affirmative obligations to pay benefits or authorize medical treatment, comprehensive formulation of a defense plan, implementation of that plan and as always, seizing any opportunity for prompt and reasonable resolution of the claim, at any time. Over the many years of practice, we have developed negotiation skills to effectively bring a case to resolution with or without private mediation and where necessary to litigate a claim, we formulate and implement an appropriate and dynamic defense.

**What is your approach to a successful defense regarding this area?**

Our approach to a successful defense involves a more surgical than shotgun approach, and combines an evaluation of the claim from both the “legal” side and the “practical” side. In other words, we approach each claim by analyzing what the law allows or does not allow. We then take that evaluation and apply it to the facts and circumstances of the individual claim to decide the best practical approach. We do not find it necessary to engage in protracted discovery and litigation when an early resolution is more practical and appropriate. Conversely, for those claims for which an early resolution is not appropriate, we adopt an aggressive defense strategy to place ourselves in the best position to present a cohesive, logical defense to the Administrative Law Judge or district court (in the case of Jones Act or Section 905(b) claims). We incorporate a “team approach” in our handling of claims, involving input from our clients and vendors.