

SAFE HARBOR

A monthly newsletter for the Maritime worker from
The Law Offices of Lyle C. Cavin, Jr.

March 2016



Thank you for your maritime service and taking the time to review our Newsletter. We at the Law Offices of Lyle C. Cavin, Jr. hope you find the following information helpful. If you have any questions regarding your rights or remedies please contact us at any time. We are here to serve you.



BE CAREFUL IN COMPLETING YOUR MEDICAL FORMS!



When completing health history forms for either an annual examination or a pre-sign on examination it is important to fully disclose any pre-existing injuries, illnesses or disabilities. This becomes particularly important if you have suffered from any recent injuries. It is okay to have suffered them, but not okay to attempt to hide them or to have forgotten them. If you sustain an illness or injury similar to those omitted the shipowner can later use them against you if a claim is made. Take your time and don't rush through these forms when completing them.

QUESTION FROM THE BRIDGE



My ship employer commenced providing me maintenance and cure but stopped recently claiming that I had suffered from the same problem before I sustained this shipboard injury to my back. Can they do this just because it was not listed in my

pre-sign on exam forms?

Quincy, Baltimore

Dear Quincy,

There is a very harmful case precedent out there commonly referred to as the *McCorpen Defense* which, in essence, says that if a seaman fails to disclose a prior medical condition and brings a claim for the same or similar problem the shipowner may be entitled to deny his/her claim. In your case they probably have records of a previous similar problem which you did not disclose when applying for employment and are using that to deny your current claim. You need legal counsel to attempt to get around the failure to disclose this prior condition and move forward with a viable claim.

TEMPORARY ADDRESS CHANGE

We have relocated to San Francisco while our new Oakland space undergoes renovation from fire damage. We have offices on both sides of the Bay to serve you! Look for our Oakland opening sometime in late spring. In the meantime, please contact us at:

**The Law Offices of Lyle C. Cavin, Jr.
535 Pacific Avenue,
San Francisco, CA 94133**

**Our phone and fax remain the same
Ph: 510-444-2501 Fax: 510-444-4209
www.sealawyer.com**

About Our Law Firm

For more than four decades, merchant mariners, longshoremen, fishermen and harbor workers plying their trades at sea, on the docks, on our U.S. coastal waters and inland waterways have turned to the maritime law firm of Lyle C. Cavin, Jr. & Associates in Oakland. Today, we are proud to be recognized as one of the preeminent maritime law firms serving injured marine workers nationwide, as well as one of the most successful personal injury litigation firms serving victims of negligence in the San Francisco Bay Area and throughout the West Coast.

Team Approach to Every Personal Injury and Jones Act Claim

When you retain Lyle C. Cavin, Jr. & Associates for a Jones Act injury claim; or personal injury claim, you don't get just one attorney, you get our entire team of dedicated professionals. Our attorneys offer more than 150 combined years of courtroom and negotiated claims

settlement experience. We will represent your interests with unwavering dedication, speed and expertise.

Law Offices of Lyle C. Cavin, Jr.

Law Offices of Lyle C. Cavin, Jr. & Associates
"Serving the Merchant Mariner Since 1970"
1888CREWLAW or 1888-273-9529
510-444-2501 Fax: 510-444-4209
299 3rd Street, Suite 102, Oakland, CA 94607
www.sealawyer.com

Law Offices of Lyle C. Cavin Jr., 299 3rd Street, Suite 102, Oakland, CA 94607

[SafeUnsubscribe™ {recipient's email}](#)

[Forward email](#) | [Update Profile](#) | [About our service provider](#)

Sent by seanewsletter@earthlink.net in collaboration with

Constant Contact 

Try it free today