

# SAFE HARBOR

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

October 2015



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.



## ARE YOU COMPLETING YOUR ACCIDENT REPORT AND STATEMENT PROPERLY?



Although we have addressed this topic in the past it is important to revisit. After suffering an injury aboard ship you will probably be asked to write out a statement as to the details and provide other information pertaining to the event. If you are not asked to write a statement, insist on writing one to document the accident. It is extremely important, if this accident or injury was caused by some defect or negligent conduct, that the details be provided. Be careful not to blame yourself in any way. This initial statement can mean the difference between obtaining proper compensation or being limited to recovering only your maintenance and cure.

## QUESTION FROM THE BRIDGE

*One of the lights was out in the foc'sle, and I tripped because I couldn't see where I was going. I hurt my knee and told my supervisor right after it*



*happened but didn't give a statement. Now that I'm home I'm being treated for a torn meniscus that I know was caused by the fall. Can I sue to hold them responsible?*

*Nick S. Flushing, NY*

Possibly, but it would have been far better if you had given a statement in writing and included that you fell and hurt your ankle because the light was out. Now that so much time has passed, you will have to rely on your supervisor's memory that you told him about it. If he remembers and your doctors can corroborate that it happened aboard ship you have a claim for maintenance and cure. Had you given a statement with details about the light, you would have an excellent claim for negligence and unseaworthiness too.

### 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.**

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