

## Maritime Update: U.S. Supreme Court Nixes Punitive Damages For Unseaworthiness Claims

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On June 24, 2019, the United States Supreme Court, in *Dutra Group v. Batterton*, clarified that a plaintiff may not recover punitive damages on a claim for unseaworthiness. The opinion is significant because it resolves a previously unsettled issue.

### A. Background

The plaintiff, Christopher Batterton, was a deckhand for a dredging and marine construction company, Dutra Group. While Batterton was working on a vessel owned by Dutra, fellow crewmembers pumped pressurized air into a below-decks compartment. The buildup of pressurized air blew open a hatch cover, crushing Batterton's hand.

Batterton filed suit against Dutra asserting negligence, unseaworthiness, maintenance and cure, and unearned wage claims. He maintained the vessel was not reasonably fit for its intended purpose because a valve to vent excess air from the compartment, something to hold the hatch cover open, or better warnings could have prevented the accident. Batterton sought punitive damages for Dutra's wanton and willful conduct.

Dutra moved to dismiss Batterton's claims for punitive damages, arguing that they are not available on claims for unseaworthiness. The trial court denied Dutra's motion. On appeal, the Ninth Circuit Court of Appeal affirmed the denial of Dutra's motion. Dutra asked the U.S. Supreme Court to review the Ninth Circuit's ruling.

### B. Discussion

The issue before the Supreme Court was whether a mariner may recover punitive damages on a claim that he was injured because of the unseaworthy condition of a vessel. The Court focused its analysis on the history and development of the unseaworthiness cause of action and its place within the modern statutory framework.

The U.S. Constitution grants federal courts jurisdiction over maritime and admiralty claims. Where Congress has not prescribed specific rules, federal courts must develop the "amalgam of traditional common-law rules, modifications of those rules, and newly created rules" that forms the general maritime law. An admiralty court should look primarily to legislation for policy guidance when exercising inherent authority over maritime and admiralty cases. A court may supplement statutory remedies to achieve uniformity.

The Supreme Court studied the cases relied on by the plaintiff. Two cases did not contain relevant punitive damage discussions. Other cases involved maintenance and cure claims. Significantly, the plaintiff did not produce a single decision from the formative years of the development of the personal injury unseaworthiness cause of action that awarded punitive

damages.

The Supreme Court was not willing to sanction such a remedy because there was no historical basis for allowing punitive damages in unseaworthy actions. The Supreme Court also wanted to promote uniformity with the way courts have applied parallel statutory causes of action.

#### **C. Conclusion**

The Supreme Court instructed that punitive damages remain unavailable in unseaworthiness actions. The Supreme Court reversed the judgment of the U.S. Court of Appeals for the Ninth Circuit and remanded the case to the trial court.

#### **D. Why Is This Important?**

1. Litigants seeking punitive damage for unseaworthiness may have their punitive damage claims dismissed.
2. Defendants facing unseaworthiness claims can have corresponding claims for punitive damages dismissed.
3. The universe of maritime claims for which punitive damages might be appropriate is now smaller.