Punitive Damages on Actions for Unseaworthiness

AIMU Marine Insurance Day
October 4, 2019
Baruch College
John Woods, Clyde & Co US LLP
The Dutra Group v. Christopher Batterton


Argued March 25, 2019
Decided June 24, 2019
Supreme Court of the United States of America
Availability of Punitive Damages for Maritime Personal Injury Claims

The Jones Act (Merchant Marine Act of 1920)
- 46 U.S.C. § 30104. Personal injury to or death of seamen

Unseaworthiness

Negligence

Maintenance & Cure
Prior Supreme Court Opinions

Miles v. Apex Marine Corp.

Atlantic Sounding Co. v. Townsend

Broader Implications of Batterton

- Insuring punitive damages
- Failure to settle within limits
- Fines and Penalties
Questions?

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440
Partners

2500
Legal professionals

4000
Total staff

50+
Offices* worldwide

* Includes associated offices

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