

## **New York Law Journal** – Monday, November 27, 2017

A jury in Manhattan awarded \$4.4 million to a former shipmate whose aspirations of becoming a captain were dashed after a shoulder injury made her permanently unfit for sea duty.

In 2011, Meagan Golden, a third mate on the MV Overseas Cascade, a ship owned by OSG Ship Management, injured her right shoulder while handling ship stores that required her to undergo multiple surgeries.

Golden's injury was career ending, said Golden's attorney, Ralph Mellusi of TabakMellusi & Shisha, and she sued OSG claiming Jones Act negligence and that the Overseas Cascade was not seaworthy.

Golden, who was 25 years old at the time of her injury, argued that her employer was negligent by failing to provide her with mechanical devices and an adequate headcount of fellow crew members to assist her in her work.

Golden also said the company was negligent for failing to break stores down into more ergonomically designed packages and for failing to conduct a risk analysis.

Based on those conditions, Golden argued, Overseas Cascade should be rendered unseaworthy.

A jury sitting in the U.S. District Court for the Southern District of New York ruled last week that Golden should receive more than \$3.6 million for future lost earnings—plus benefits—and future pain and suffering and almost \$838,000 for past lost earnings and past pain and suffering.

Golden was represented by Mellusi and Jacob Shisha of Tabak Mellusi.

OSG was represented by Gregory O'Neill and Mary Reilly of Hill, Betts & Nash. O'Neill declined to comment on the verdict.

