

Boat Hitting a Wave is not a Collision under Maritime Law

Buccina v Grimsby, Case 17-3721, U.S. Court of Appeals for 6th Circuit, Justia Case Summary:
Grimsby invited Nancy to take a boat trip on Lake Erie. The boat hit a wave, jarring the passengers and injuring Nancy. In her suit, invoking the court's diversity and admiralty jurisdiction, Nancy pleaded that "this action is not to be deemed an 'admiralty and maritime claim' within the meaning of" Rule 9 of the Federal Rules of Civil Procedure. In 2015, the district court held that the incident fell within the court's admiralty jurisdiction, meaning that federal maritime law controlled the duty of care. In 2016, the court held that a boat hitting a wave did not count as a "collision" under the Coast Guard Navigation Rules. A jury subsequently found that Grimsby was not negligent. The court granted Nancy's motion for a new trial, finding that the evidence did not support the verdict. Grimsby filed an interlocutory appeal, and Nancy cross-appealed, citing the interlocutory exception to the final judgment rule that applies to admiralty cases. The Sixth Circuit dismissed. The exception does not apply because Nancy chose to pursue claims under ordinary civil procedures.